

Agenda
Special City Council Meeting
December 1, 2014

1. Special City Council Meeting Agenda

Documents: [12-01-14 SPECIAL.PDF](#)

2. Special City Council Meeting Agenda And Packet

Documents: [120114PACKET.PDF](#)

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

AGENDA
SPECIAL CITY COUNCIL MEETING
DECEMBER 1, 2014

The Portland City Council will hold a Special City Council Meeting Immediately Following the Regular Organizational City Council Meeting at 12:00 Noon in City Council Chambers, City Hall. The Honorable Michael F. Brennan, Mayor, will preside.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

(Tab 1) November 17, 2014

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

APPOINTMENTS:

CONSENT ITEMS:

LICENSES:

Order 98-14/15 **Order Granting Municipal Officers' Approval of Oscar Pizza LLC**
(Tab 2) **d/b/a Otto at 255 Congress Street. Application to add Entertainment**
 Without Dance – Sponsored by Katherine L. Jones, City Clerk.

Application filed 10/29/14. New City application. Applicant holds a current Class III & IV license.

Five affirmative votes are required for passage after public comment.

**Order 99-14/15
(Tab 3)**

Order Granting Municipal Officers' Approval of Z Dance Hall, LLC d/b/a Z Dance Hall, LLC. Application for a Class A Lounge License with Entertainment with Dance at 1844 Forest Avenue – Sponsored by Katherine L. Jones, City Clerk.

Application filed 10/20/14. New City and State applications. Former location of the Presumpscot Grange Hall.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

**Order 25-14/15
(Tab 4)**

Order Approving the Collective Bargaining Agreement with Police Superior Officers Benevolent Association (PSOBA) – Sponsored by Sheila Hill-Christian, Acting City Manager.

This order approves the collective bargaining agreement with Police Officers Benevolent Association for January 5, 2014, through December 31, 2016. The prior collective bargaining agreement expired December 31, 2013.

The PSOBA, which is comprised of 32 police lieutenants and sergeants, has reached a tentative agreement with the City. The tentative agreement is within the guidance received by the City Council on June 16th, 2014.

Effective January 5, 2014, employees will receive a general wage increase of 1.0%; effective July 6, 2014, employees will receive general wage increase of 1.0%; January 4, 2015, employees will receive a general wage increase of 1.0%, and effective January 3, 2016, employees will receive a general wage increase of 3%. The wage increases are reflected in the pay plan included in the agenda backup.

This item must be read on two separate days. It was given a first reading on July 21st. At the September 15 City Council meeting this item was postponed to this meeting. Five affirmative votes are required for passage after public comment.

**Order 95-14/15
(Tab 5)**

Order Approving the Collective Bargaining Agreement with the City Employees benefit Association (CEBA) – Sponsored by Sheila Hill-Christian, Acting City Manager.

City staff has reached a tentative three-year agreement with our largest bargaining unit, CEBA AFSCME Local 1373 representing approximately 500 city employees. The CEBA contract expired on June 30, 2013. The parties have been negotiating a successor contract for nearly eighteen months.

Terms of the three-year agreement include a 1.0% general wage increase Fiscal Year (FY) 2014 retroactive to July 7, 2013; a 1.0% general wage increase retroactive to July 6, 2014 (or minimum \$.17); a 1.0% general increase effective January 4, 2015 (or minimum \$.17) and a 3.0% general wage increase effective July 5, 2015. The general wage increases are consistent with guidance received by the Council on October 6, 2014, and they are consistent with other negotiated contracts for the same period. The contract term is July 7, 2013 through June 30, 2016. The total direct cost of the general wage increase is \$972,000.00. However, \$485,000.00 has been appropriated and accounted for through the FY 14 and FY 15 budget approval process.

This item must be read on two separate days. It was given a first reading on November 17, 2014. Five affirmative votes are required for passage after public comment.

ORDERS:

**Order 100-14/15
(Tab 6)**

Order Granting a \$30,000.00 Land Bank Fund Grant to Peaks Island Preserve for Acquisition of the Ice Pond Property – Sponsored by Cheryl Leeman, Co-Chair of the Land Bank Commission.

At the September 4, 2014 meeting of the Land Bank Commission (LBC), the Peaks Island Land Preserve (PILP) requested a \$30,000 grant from the Land Bank Fund to assist in PILP's acquisition of the two acre "Ice Pond" property on Peaks Island. According to PILP, the Ice Pond property is valued for beauty, natural habitat, and its use as a family ice skating pond in the winter.

In order to conserve this land and continued public access to the property, PILP sought LBC assistance for the purchase of the property. PILP's proposal involved it owning the land, and the City--either alone or in conjunction with Oceanside Conservation Trust--holding a conservation easement.

After careful consideration, the LBC voted unanimously to recommend that the City Council approve a \$30,000 grant to PILP for the acquisition of the property provided that a third party (Oceanside Conservation Trust) hold a conservation easement that allows continued public access to the property. The City's Bond Counsel has opined that the City may use the Land Bank funds for the acquisition of land in which the City has no ownership interest, provided that the money is spent in furtherance of a public purpose (in this case, the conservation easement and public access to the property).

It is important to note that the City holds a fire pond easement on the Ice Pond property, which allows the City to draw water from the pond in the event of a fire on the northwest corner of the island, where there is no public water supply. The pond also has a dam that is in disrepair and that will require repair or replacement in the near future. Pursuant to a request by the LBC, City staff plan to explore (including costs, etc.) whether or not it would be in the City's best interests to enter into a future cooperative agreement with PILP for the maintenance of the property.

This item must be read on two separate days. This is its first reading.

AMENDMENTS:

**Order 101-14/15
(Tab 7)**

Amendment to City Code Sec. 14-49 (Zoning Text and Map Amendment) Re: First Amendment to the Conditional Rezoning Agreement for Property in the Vicinity of St. Lawrence Arts/Congress Street – Sponsored by the Planning Board, Stuart O'Brien, Chair.

On October 28, 2014, the Planning Board voted unanimously (6-0, Dean absent) to recommend amendments to an existing conditional zoning agreement for 76 Congress Street, the St. Lawrence Arts Center, to the City Council. The fundamental elements of the original agreement, adopted in November 2010, remain unchanged – as in 2010, the applicant continues to desire to build an addition on the site of the former St. Lawrence Church sanctuary for the purposes of live theater. However, the original agreement requires modification in order to allow the proposed addition in a new, contemporary form. The amendments include changes to the conceptual site plan and architectural drawings to establish a contemporary design scheme for the building addition.

The amendments also incorporate changes to the St. Lawrence's transportation demand management plan to include substantial investments in the city's existing public transit infrastructure as a means of addressing the facility's parking demand.

The proposed amendments to the conditional zoning agreement to permit a Community hall at 76 Congress Street are consistent with the Comprehensive Plan of the City of Portland and the proposed amendments to the conditional zoning agreement are consistent with existing and permitted uses in the surrounding area, and the proposed amendments to the conditional zoning agreement for 76 Congress Street are in compliance with the standards set out in 14-60 and 14-62. The board voted to recommend the amendments to the conditional zoning agreement for 76 Congress Street to the City Council for its approval.

This item must be read on two separate days. This is its first reading.

**Order 102-14/15
(Tab 8)**

Amendment to Zoning Map Re: Anderson and Fox Streets - Sponsored by the Planning Board, Stuart O'Brien, Chair.

On November 12, the Planning Board voted unanimously (5-0 – Dundon & Soley absent) to recommend a map amendment to change the zoning for 89 Anderson Street from Residential R-6 to Neighborhood Business B-1b. The amendment is proposed by Redfern Properties and is designed to allow them to develop 53 market rate apartments with ground floor restaurant and office uses at the corner of Fox and Anderson Streets in East Bayside. The applicant requested the rezoning in order to achieve the mix of uses and residential density envisioned for the project.

89 Anderson lies at the corner of Fox and Anderson Streets in East Bayside and is currently zoned Residential R-6. Redfern Properties approached the city in the summer of this year with a plan to redevelop the site, now the location of 3Gs Tire and Auto Service, as a 53-unit apartment complex with ground floor restaurant and office uses. In order to develop the site at the proposed density and to allow non-residential uses, the applicant required a zone change, and ultimately proposed Neighborhood Business B-1b for the site. The proposed map change will allow the redevelopment of the 3Gs site at 89 Anderson Street with ground floor retail and residential units above.

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LICENSE RENEWALS:

Tab 1 12-1-14

IN COUNCIL REGULAR MEETING NOVEMBER 17, 2014 VOL. 130 PAGE 34

ROLL CALL: Mayor Pro Tem, Nicholas Mavodones, Jr. called the meeting to order at 7:00 P.M. (Mayor Brennan). Councilor Duson and Councilor Coyne arrived during Proclamation 13.

ANNOUNCEMENTS: Mayor Pro Tem announced that Order 88 was going to be taken up after the Proclamations. He also announced that it was Councilor Coyne and Councilor Leemans last regular city council meeting.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Suslovic and seconded by Councilor Marshall for approval of the November 3, 2014 minutes. Passage 6-0.

PROCLAMATIONS:

Proc 11-14-15 Proclamation Honoring Kiwanis Club of Portland – Sponsored by Mayor Michael F. Brennan.

Proc 12-14/15 Proclamation Honoring Evidence Technician Victor Cote as Police Officer of the Month for October 2014 – Sponsored by Mayor Michael F. Brennan.

Proc 13-14/15 Proclamation Honoring Timothy Nangle, Fire Department, as Employee of the Month for November 2014 – Sponsored by Mayor Michael F. Brennan.

Proc 14-14/15 Proclamation Recognizing Dementia (Alzheimers) Awareness Month Family Caregivers Month – November 2014 – Sponsored by Mayor Michael F. Brennan.

Order 88 was taken out of order.

Order 88-14/15 Order Renaming the Portland Ice Arena the William B. Troubh Ice Arena – Sponsored by Mayor Michael F. Brennan. This item was given first reading on November 3, 2014.

Motion was made by Councilor Leeman and seconded by Councilor Suslovic for passage. Passage 8-0.

APPOINTMENTS:

CONSENT ITEMS:

COMMUNICATIONS:

Com 5-14/15

Communication from the Congress Square Redesign Study Group (CSRSG) Evaluating the Two Congress Square Options Including an Assessment of the Necessary Improvements and Cost Estimates for Each Option – Sponsored by Councilors Kevin J. Donoghue and David A. Marshall and Co-chairs of the Congress Square Redesign Study Group.

Com 6-14/15

Communication Re: Hall School Building Committee – Sponsored Mayor Michael F. Brennan.

This appointment is brought to the Council pursuant to the Mayor’s power under the Charter, Article II Section 5(1) to appointment the members and chairs of City Council committees and various ad hoc committees subject to an override vote of at least six members of the City Council. The Committee will consist of the following members:

- 1) Brian Jackson
- 2) Sean Kelsey
- 3) Whitney Letellier
- 4) Laura Newman
- 5) Katie Lamb
- 6) Pedro Nieves
- 7) Joseph Carter
- 8) Laurie Davis
- 9) Marnie Morrione
- 10) Sarah Thompson
- 11) Councilor Ed Suslovic, Chair
- 12) Councilor Nicholas Mavodones
- 13) Jim Banks
- 14) Mark Adelson or Designee
- 15) Bob Doherty

Order 87 was taken out of order.

Order 87-14/15

Order Appointing and Setting Salary of Dawn Stiles as Health and Human Services Director – Sponsored by Sheila Hill-Christian Acting City Manager. This item was given first reading on November 3, 2014.

Motion was made by Councilor Suslovic and seconded by Councilor Duson for passage. Passage 8-0 .

IN COUNCIL REGULAR MEETING NOVEMBER 17, 2014 VOL. 130 PAGE 36

**Order 76-14/15 Order Appointing Constables for 2014 and 2015 – Sponsored by
by Sheila Hill-Christian, Acting City Manager.**

Motion was made by Councilor Duson and seconded by Councilor Donoghue to divide Order 76. Passage 8-0.

Motion was made by Councilor Duson and seconded by Councilor Marshall to appoint Marion T. Oliver and Franklin L. Noiles, Taxi Inspector/Enforcement Office as Constables. Passage 8-0.

Motion was made by Councilor Suslovic and seconded by Councilor Coyne to appoint Joaquim Almeida, Miroslav M. Petrovic, and Paul Tetzlaff as Constables for the Portland Public Library. Passage 6-2 (Duson, Donoghue).

Motion was made by Councilor Marshall and seconded by Hinck to reconsider. Passage 8-0

Motion was made by Councilor Suslovic and seconded by Councilor Coyne for passage. Passage 5-3 (Duson, Donoghue, Marshall).

**Order 86-14/15 Order Amending and Expanding the Bayside Economic Redevelopment
Program and Bayside Redevelopment Tax Increment Financing District
– Sponsored by the Housing and Community Development Committee,
Councilor Kevin J. Donoghue, Chair. This item was given first reading
on November 3, 2014.**

Motion was made by Councilor Duonoghue and seconded by Councilor Suslovic for passage. Passage 8-0.

**Order 89-14/15 Amendment to Zoning Map Re: Bishop Street – Sponsored by
by the Planning Board, Stuart O'Brien, Chair. This item was given
first reading on November 3, 2014.**

Motion was made by Councilor Donoghue and seconded by Councilor Marshall for passage. Passage 8-0.

**Order 90-14/15 Amendment to Portland City Code Chapter 14. Land Use Chapter 14.
Land Use Re: Changes to Business B-1 and Community Business B-2**

**Zones – Sponsored by the Planning Board, Stuart O'Brien, Chair. This
item was given first reading on Novemeber 3, 2014.**

Motion was made by Councilor Suslovic and seconded by Councilor Duson for passage. Passage 8-0.

IN COUNCIL REGULAR MEETING NOVEMBER 17, 2014 VOL. 130 PAGE 37

Order 91-14/15 **Amendment to Portland City Code Sec. 28-15 Traffic Schedule Re: Reducing Peninsula Parking Restrictions - Sponsored by the Transportation, Sustainability and Energy Committee – Councilor David A. Marshall, Chair. This item was given first reading on November 3, 2014.**

Motion was made by Councilor Susloive and seconded by Councilor Coyne to amend Order 91 by adding Service Area “Nathan Clifford”. Passage 8-0.

Motion was made by Councilor Donoghue and seconded by Councilor Marshall for passage. Passage 8-0.

ORDERS:

Order 92-14/15 **Order Granting License Agreement to Avesta Washington Ave. LP – Sponsored by Sheila Hill-Christian, Acting-City Manager.**

Motion was made by Councilor Susloive and seconded by Councilor Donoghue for passage. Passage 6-0, (Hinck, Marshall out) .

Order 93-14/15 **Order Approving 10-Year Extension to Fedcx Ramp Lease Agreement at Portland International Jetport – Sponsored by Sheila Hill-Christian, Acting City Manager.**

Motion was made by Councilor Susloive and seconded by Councilor Marshall for passage. Passage 8-0.

Order 94-14/15 **Order Granting a License Agreement to 638 Congress Street Partners, LLC – Sponsored by Danielle West-Chuhta, Corporation Counsel.**

Motion was made by Councilor Marshall and seconded by Councilor Hinck for passage. Passage 8-0.

Order 95-14/15 **Order Approving the Collective Bargaining Agreement with the City Employees benefit Association (CEBA) – Sponsored by Sheila Hill-Christian, Acting City Manager.**

This is its first reading.

Motion was made by Councilor Leeman and seconded by Councilor Coyne to adjourn. Passage 8-0, 9:25 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk

*Order 98-14/15
Tab 2 12-1-14*

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
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NICHOLAS M. MAVODONES (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Oscar Pizza LLC d/b/a Otto at 225 Congress St. Application to add Entertainment without Dance.



CITY CLERK

2014 OCT 29 PM 12:58

Dear Mayor and Members of the City Council,

Due to the success of the Monday night live bluegrass series at our 576 Congress St. location, OTTO is writing again in request of another music license at our Munjoy Hill location (225 Congress St.). Our intentions are to hold a similar weekly acoustic music series on Monday nights, during normal business hours, 8:00pm-10:30pm.

This series would be similar to our Bluegrass Nights at 576 Congress St., using minimal amplification (two speakers, only amplifying vocals). We're hoping to supply this as light entertainment for dine-in customers only.

We have no plans of charging admission, permitting dance, or being a nuisance of any kind to surrounding businesses and homes. We'd like this Monday night music series to foster community engagement in our East End neighborhood.

We hope you will consider our request. Thank you for your time.

Sincerely,
Your friends at OTTO

Office of the City Clerk
389 Congress Street
Portland, ME 04101
(207) 874-8557

Application for Food Service Establishment With Alcoholic Beverages

Type of Liquor License Applying for: N/A - MUSIC LICENSE

Please check one: (Corporation ☐ Non-profit org. ☒) (Sole Proprietor ☐) (Partnership ☒)

Business Name (d/b/a): OTTO Phone: 207.517.3091

Location Address: 225 Congress St. ZIP 04101

If new, what was formerly in this location: _____

Mailing Address: OTTO OFFICE 574 Congress St. ZIP 04101

Contact Person: Orianna Bailey Phone: 207.517.3091

Manager of Establishment: Vinny LoBello Home Phone # 207.251.0599

Owner of Premises (landlord): Mike Salisbury - Maje in Maine

Address of Premises Owner: 4107 Ocean Ave ~~Portland, ME~~ ZIP 08203
Brigantine, NJ

Does the Issuance of this license directly or indirectly benefit any City employee(s)? Yes ☐ No ☒
If yes, list name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Portland? Yes ☒ No ☐ If yes, please list business name(s) and location(s):

OTTO 576 Congress St.

Is any principal officer under the age of 18? ☐ Yes ☒ No

Have applicant, partners, associates, or corporate officers ever been *arrested, indicted, or convicted* for any violation of law? No If yes, please explain: _____

SOLE PROPRIETOR / PARTNERSHIP INFORMATION: (if corporation, leave blank)

Name of Owner(s): <u>Mike Keon</u>	DOB _____	Residence Address _____
Name of Owner(s): <u>Anthony Allen</u>	DOB _____	Residence Address _____
Name of Owner(s): _____	DOB _____	Residence Address _____

CORPORATE / LLC / NON-PROFIT ORGANIZATION APPLICANTS: (if sole proprietor, leave blank)

Corporation Name: Oscar Pizza LLC

Corporation Mailing Address: 576 Congress St. ZIP 04101

Contact Person: Orianna Bailey Phone Number: 207.517.3091

PRINCIPAL OFFICERS: (if more space is needed, please attach a separate page)

Name <u>Mike Keon</u>	Title <u>owner</u>	DOB _____	Residence Address _____
Name <u>Anthony Allen</u>	Title <u>owner</u>	DOB _____	Residence Address _____
Name _____	Title _____	DOB _____	Residence Address _____
Name _____	Title _____	DOB _____	Residence Address _____
Name _____	Title _____	DOB _____	Residence Address _____
Name _____	Title _____	DOB _____	Residence Address _____

(Please see reverse side)

CITY CLERK

2014 OCT 9 PM 12:56

Type of Food Served: Pizza

Please check all that will be served: Beer ☒ Wine ☒ Liquor ☐

Percentage of sales -- Generated from Food : _____ Generated from Alcohol: _____

Hours and Days of operation: Sun-Thurs 11am-11pm Fr + Sat 11am-12am

Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open? Yes ☒ No ☐

If no, please explain _____

Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment? Yes _____ No ☒. If yes, give the distance _____

Will you have entertainment on the premises? Yes ☒ No ☐ (If yes, a separate application is required.)

Will you permit dancing on the premises? Yes _____ No ☒

Will you permit dancing after 1:00am? Yes _____ No ☒

Will you have outside dining? Yes ☒ No ☐. If yes, please indicate location on diagram.

Also, will the outside dining be on PUBLIC _____ or PRIVATE ☒ property?

Have you applied for an Outdoor Dining Permit? Yes ☒ No ☐

Will you have any amusement devices (pinball, video games, juke box)? Yes _____ No ☒

If yes, please list, # of pinball: _____ # of amusements: _____ # of pool tables: _____

What is your targeted opening date? : already in business

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature [Signature] Title owner Date 10/17/2017

Application attachment to other City license

\$485. With Dance
\$270. Without Dance
\$545. After Hours (1AM-3AM).
Total due: 270

Office of the City Clerk
389 Congress Street
Portland, ME 04101
207-874-8557

Supplemental Application for Dancing and Entertainment

Please attach a diagram of floor plan showing where in the facility the entertainment will be setup, the direction of any speakers and where dance floor, if any, will be located.

Business Name (d/b/a): OTTO

Location Address: 225 Congress St. ZIP 04101 Phone 207.358-7870

Will music be electric or acoustical or both? Acoustic

Will amplification used? Yes ☒ No ☐

If yes, where and at what level? 2 speakers, amplified vocals only

Will you permit dancing on the premises? Yes ☐ No ☒

Will you permit dancing or entertainment after 1:00AM? Yes ☐ No ☒

Will recorded music be played: Inside ☒ Outside ☐ Both ☐

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? upstairs

Please describe in detail the type and nature of the business and proposed entertainment: OTTO is

a community-supporting, family friendly restaurant. We'd like live folk music for dine-in customers to enjoy with dinner.

If new applicant, what is your targeted opening date? : _____

Does the issuance of this license directly or indirectly benefit any City employee? Yes ☐ No ☒
If yes, list names of employee(s) and department(s). _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation, if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/ We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/ We hereby waive any rights to privacy with respect thereto.

Signature _____ Title owner Date 10/17/14

2014 OCT 29 PM 12:13

CITY CLERK

BATHROOM

Server
Station

Table

Table

Kitchen
Slice Shop →

BAR
AREA

Table

Table

Table

BAND
SETUP
AREA

DOORWAY

Table

Table

Table

Table

Business Licensing - OTTO - CLASS III & IV Business License Approval

From: Gary Hutcheson
To: Business Licensing
Date: 11/8/2014 5:32 PM
Subject: OTTO - CLASS III & IV Business License Approval

OTTO - CLASS III & IV is Approved for their Business License Inspection by the Police Dept.

Date: 10/5/2014

Zone:

Comments: Entertainment license 11-08-14.

Lt. Gary L Hutcheson
Portland Police Department
109 Middle St
Portland, Maine 04101
(207) 756-8295

**Office of the City Clerk**

Katherine L. Jones, CCM, City Clerk

November 13, 2014

Oscar Pizza LLC
576 Congress St.
Portland, ME 04101

Re: Oscar Pizza LLC d/b/a Otto at 225 Congress St. Application to add Entertainment without Dance.

Dear Mr. Keon & Mr. Allen,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, December 1st at 7:00 p.m.** for the review of your application to add entertainment without dance to your Class III & IV license. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

You or a representative of the business must be present at this meeting in the event that the City Council has questions regarding the license application. If there is no representation and questions arise, the issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

Ad ID 5176485

Date 11/10/2014

Time 11:27 AM

PUBLIC NOTICE

Notice of Public Hearing City of Portland

A Public Hearing will be held on December 1st at 7:00 P.M., in City Council Chambers, 389 Congress St., on the application of Oscar Pizza LLC d/b/a Otto at 225 Congress St. Application to add Entertainment without Dance. Sponsored by Katherine L. Jones, City Clerk.

#5176485

Ad shown is not actual print size

*Order 99-14/15
Tab 3 12-1-14*

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Z Dance Hall, LLC d/b/a Z Dance Hall, LLC. Application for a Class A Lounge License
with Entertainment with Dance at 1844 Forest Ave.**

Gabriel Zappia
18 Cottage Lane Cape Elizabeth, ME 04107 (207) 774-5282

October 17, 2014

Mayor Brennan and
Members of the Portland City Counsel

Dear Mayor Brennan,

Attached for your consideration is my application for a liquor license in the city of Portland.

This liquor license will serve a dance hall at 1844 Forest Ave, formerly the Presumpscott Grange building.

The bar will be closed most of the time. The bar will be locked when not in use. The serving window's steel rollup door and the room door are both lockable.

Expected hours of operation are:

- Thursday evening (maybe)
- Saturday evening
- Friday evening will be a weekly alcohol-free teen dance. If allowed, bar will be open for juice and soda only.
- Weekend afternoons and other times by appointment for special events, such as wedding receptions.

The dance hall will be open other days for ballroom dance instruction, church services (Sunday morning), yoga classes, and other uses. The bar will be closed during these uses.

A **church** meets in the building on Sunday mornings. If this is a problem the church will be evicted. The bar will be closed and locked during their service. They want to stay. The church Deacon is Justin, contact him at 299-3676.

The next closest church/school to this facility is the Friend's Meeting House, which is across the street. They are aware of this project and have provided a letter stating that the dance hall will not interfere with their church. A copy of this letter is included in this application package.



Gabriel Zappia, manager

Office of the City Clerk
389 Congress Street
Portland, ME 04101
(207) 874-8557

Application for Food Service Establishment With Alcoholic Beverages

Type of Liquor License Applying for: Class A

Please check one: (Corporation/ LLC/ Non-profit org. ☒) (Sole Proprietor ☐) (Partnership ☐)

Business Name (d/b/a): Z Dance Hall, LLC Phone: 774-5282

Location Address: 1844 Forest Ave. ZIP 04103

If new, what was formerly in this location: Presumpscott Grange

Mailing Address: 18 Cottage Lane Cape Elizabeth ME ZIP 04107

Contact Person: Gabe Zappia Phone: 774-5282

Manager of Establishment: Gabe Zappia Home Phone # 774-5282

Owner of Premises (landlord): Gabe Zappia

Address of Premises Owner: 18 Cottage Ln Cape Eliz. ME ZIP 04107

Does the Issuance of this license directly or indirectly benefit any City employee(s)? Yes ☐ No ☒
If yes, list name(s) of employee(s) and department(s).

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Portland? Yes ☐ No ☒ If yes, please list business name(s) and location(s):

Is any principal officer under the age of 18? Yes ☐ No ☒

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law? yes If yes, please explain: 1991 - Grew marijuana

SOLE PROPRIETOR / PARTNERSHIP INFORMATION: (if corporation, leave blank)

Name of Owner(s): <u>Gabe Zappia</u>	DOB <u>11-22-56</u>	Residence Address <u>18 Cottage Ln Cape Elizabeth ME</u>
Name of Owner(s):	DOB	Residence Address <u>04107</u>
Name of Owner(s):	DOB	Residence Address

CORPORATE / LLC / NON-PROFIT ORGANIZATION APPLICANTS: (if sole proprietor, leave blank)

Corporation Name: Z Dance Hall, LLC

Corporation Mailing Address: 18 Cottage Lane Cape Elizabeth ME ZIP 04107

Contact Person: Gabe Zappia Phone Number: 207-774-5282

PRINCIPAL OFFICERS: (if more space is needed, please attach a separate page)

Name <u>Gabriel J. Zappia</u>	Title <u>owner</u>	DOB <u>11-22-56</u>	Residence Address <u>18 Cottage Ln Cape Elizabeth, ME</u>
Name	Title	DOB	Residence Address <u>04107</u>
Name	Title	DOB	Residence Address
Name	Title	DOB	Residence Address
Name	Title	DOB	Residence Address
Name	Title	DOB	Residence Address

(Please see reverse side)

Application attachment to other City license

\$465. With Dance
\$260. Without Dance
\$520. After Hours (1AM-3AM).
Total due: _____

Office of the City Clerk
389 Congress Street
Portland, ME 04101
207-874-8557

Supplemental Application for Dancing and Entertainment

Please attach a diagram of floor plan showing where in the facility the entertainment will be setup, the direction of any speakers and where dance floor, if any, will be located.

Business Name (d/b/a): Z Dance Hall, LLC

Location Address: 1844 Forest Ave ZIP 04103 Phone 774-5282

Will music be electric or acoustical or both? both

Will amplification used? Yes ☒ No _____

— If yes, where and at what level? on stage at live-band levels not to exceed 92dB

Will you permit dancing on the premises? Yes ☒ No _____

Will you permit dancing or entertainment after 1:00AM? Yes _____ No ☒

Will recorded music be played: Inside ☒ Outside _____ Both not sure.

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 70 ft to Wellesley Estates, Building to Building

Please describe in detail the type and nature of the business and proposed entertainment: _____

Live Bands Friday & Saturday, maybe Thursday
DJ Sun-Wed. for dance instruction

If new applicant, what is your targeted opening date? : Nov 20, 2014

Does the issuance of this license directly or indirectly benefit any City employee? Yes _____ No ☒

If yes, list names of employee(s) and department(s). _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation, if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/ We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/ We hereby waive any rights to privacy with respect thereto.

Signature [Signature] Title owner Date 10-16-14

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER: CLASS:

DEPOSIT DATE

AMT. DEPOSITED: BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES none

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☐ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☒ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) - (Sole Proprietor, Corporation, Limited Liability Co., etc.)		2. Business Name (D/B/A)	
DOB: _____		<u>Z Dance Hall</u>	
<u>Z Dance Hall, LLC</u> DOB: <u>Formation</u>			
DOB: _____		Location (Street Address)	
Address <u>18 Cottage Lane</u>		<u>1844 Forest Ave</u>	
		City/Town <u>Portland</u>	State <u>ME</u> Zip Code <u>04103</u>
		Mailing Address	
		<u>18 Cottage Lane</u>	
City/Town <u>Cape Elizabeth</u>	State <u>ME</u>	Zip Code <u>04107</u>	City/Town <u>Cape Elizabeth</u>
Telephone Number <u>207-774-5282</u>	Fax Number _____	Business Telephone Number <u>207-774-5282</u>	Fax Number _____
Federal I.D. # <u>47-2061524</u>	Seller Certificate # _____		

3. If premises is a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOL \$ _____ LIQUOR \$ _____

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

7. If manager is to be employed, give name: maybe. None Hired.

8. If business is NEW or under new ownership, indicate starting date: Nov 20, 2014 (expected)

Requested inspection date: Nov 17, 2014 Business hours: evenings or by appointment

9. Business records are located at: 18 Cottage Lane, Cape Elizabeth, ME 04107

19) there is also a church that rents the hall summer months. The bar is closed during the winter. They will be evicted if necessary.

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐
11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐
12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Gabriel J. Zappia	11-22-56	Portland, ME

Residence address on all of the above for previous 5 years (Limit answer to city & state)
18 Cottage Lane, Cape Elizabeth, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐
- Name: Gabriel Zappia Date of Conviction: Sept 3, 20 1992
- Offense: Agg Traffic Sch. & drug Location: Kennebec County, ME
- Disposition: 5 yr all suspended, 3 yr probation, fine.

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) A dance hall with stage. Bar is in small room off the dance floor.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☐ NO ☒ Applied for: Applied on 10-20-14

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 250 ft Which of the above is nearest? Church
I have attached a letter from them stating "no problem"

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐
- If YES, give details: \$100,000 mortgage on the dance hall

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

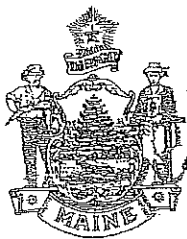
NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Portland, ME on 10-16-14, 20 14
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)
Gabe Zappia
Print Name

Signature of Applicant or Corporate Officer(s)
Gabe Zappia
Print Name



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

Supplemental Information Required for
Business Entities Who Are Licensees

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

1. Exact legal name:

Z Dance Hall, LLC

2. Other business name for your entity (DBA), if any:

Z Dance Hall

3. Date of filing with the Secretary of State: 9-17-14

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Gabe Zappia	18 Cottage Ln Cape Elizabeth ME 04107	11-22-56	100%

7. Is any principal person involved with the entity a law enforcement official?

Yes

☐

No

☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes



No



10. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: Gabe Zappia

Date of Conviction: Sept 3, 1992

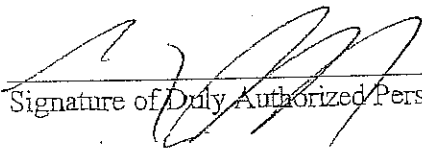
Offense: Agg. Traffic Schedule Z drug (I grew marijuana)

Location of Conviction: Kennebec County, Maine, Pittston

Disposition: 3 year probation, Fine.

5 yrs all suspended

Signature:


Signature of Duly Authorized Person

10-16-14
Date

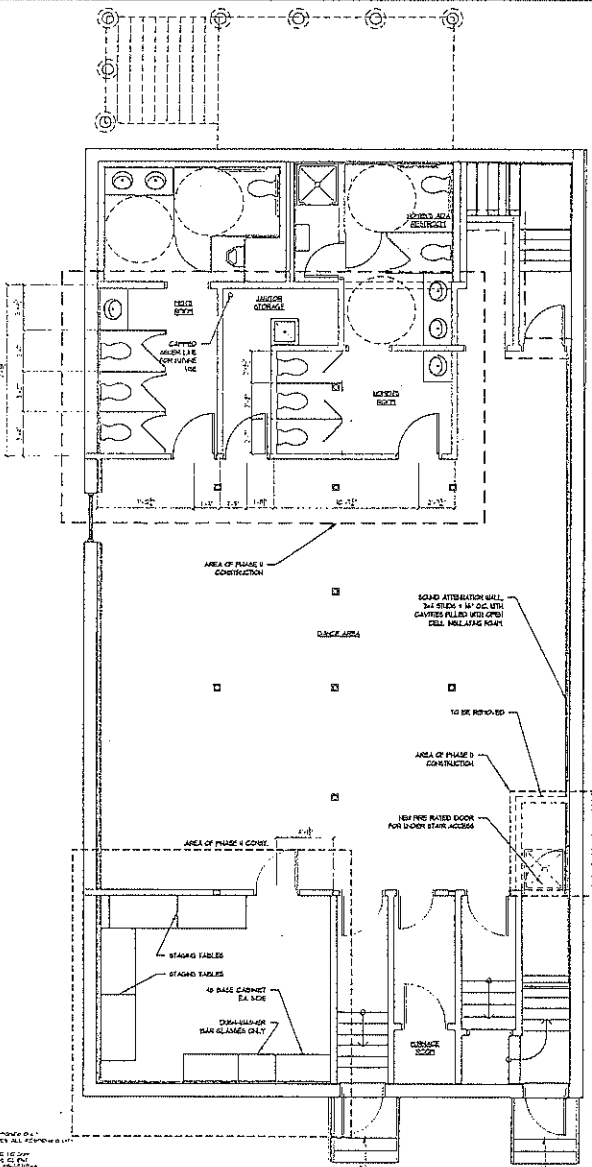
Gabe Zappia
Print Name of Duly Authorized Person

Submit Completed Forms To: Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220

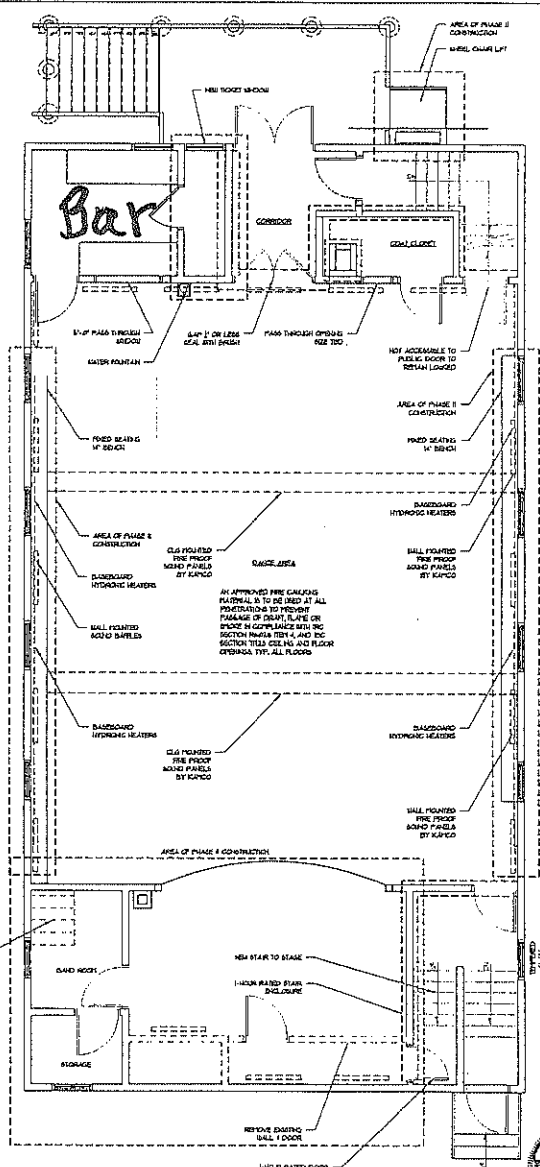
Standing Room

Basement

Main Floor

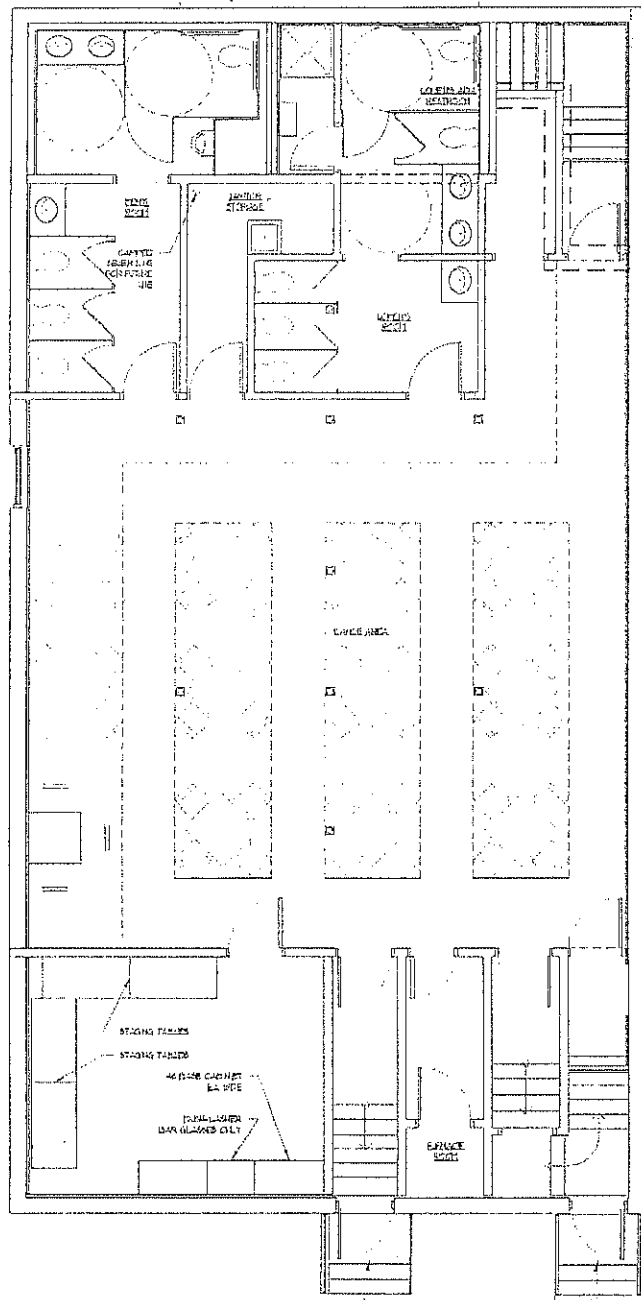


1 BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

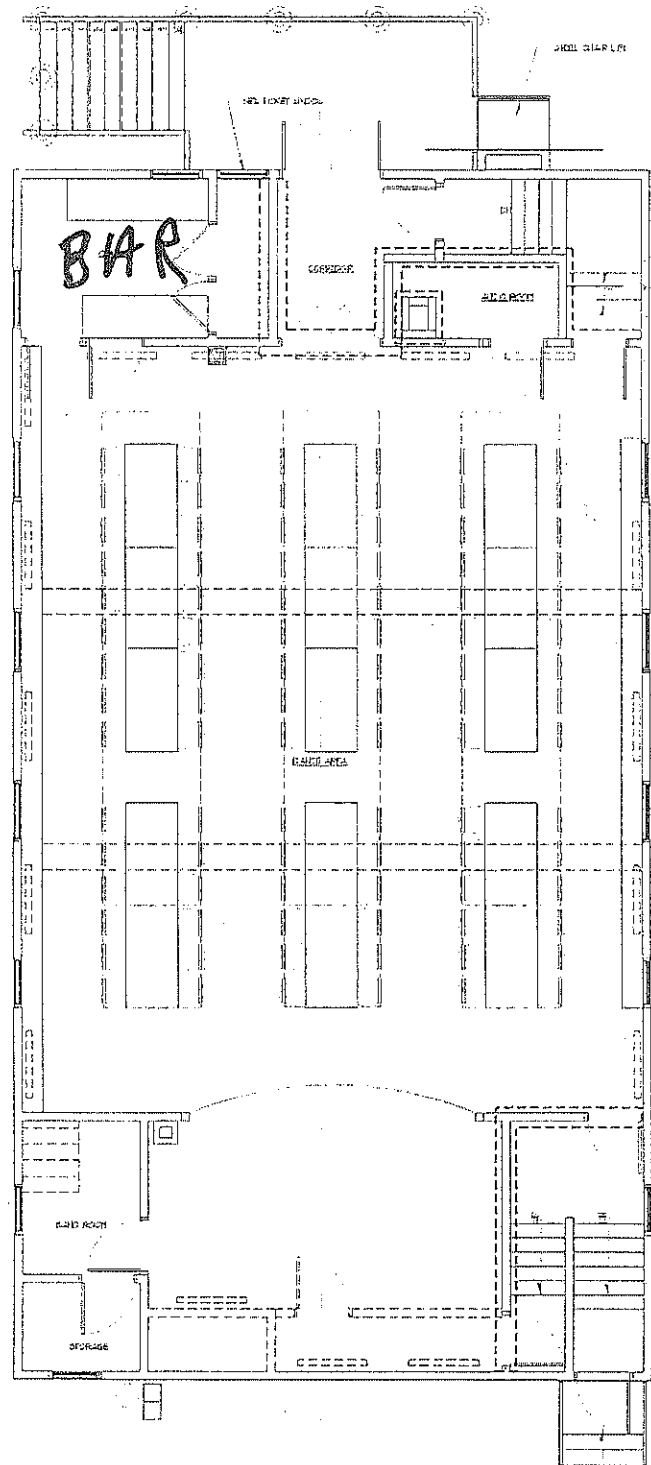
Basement

[illegible]

1 FIXED SEATING - BASEMENT (47)

LS1 SCALE: 1/4" = 1'-0"

Main Floor

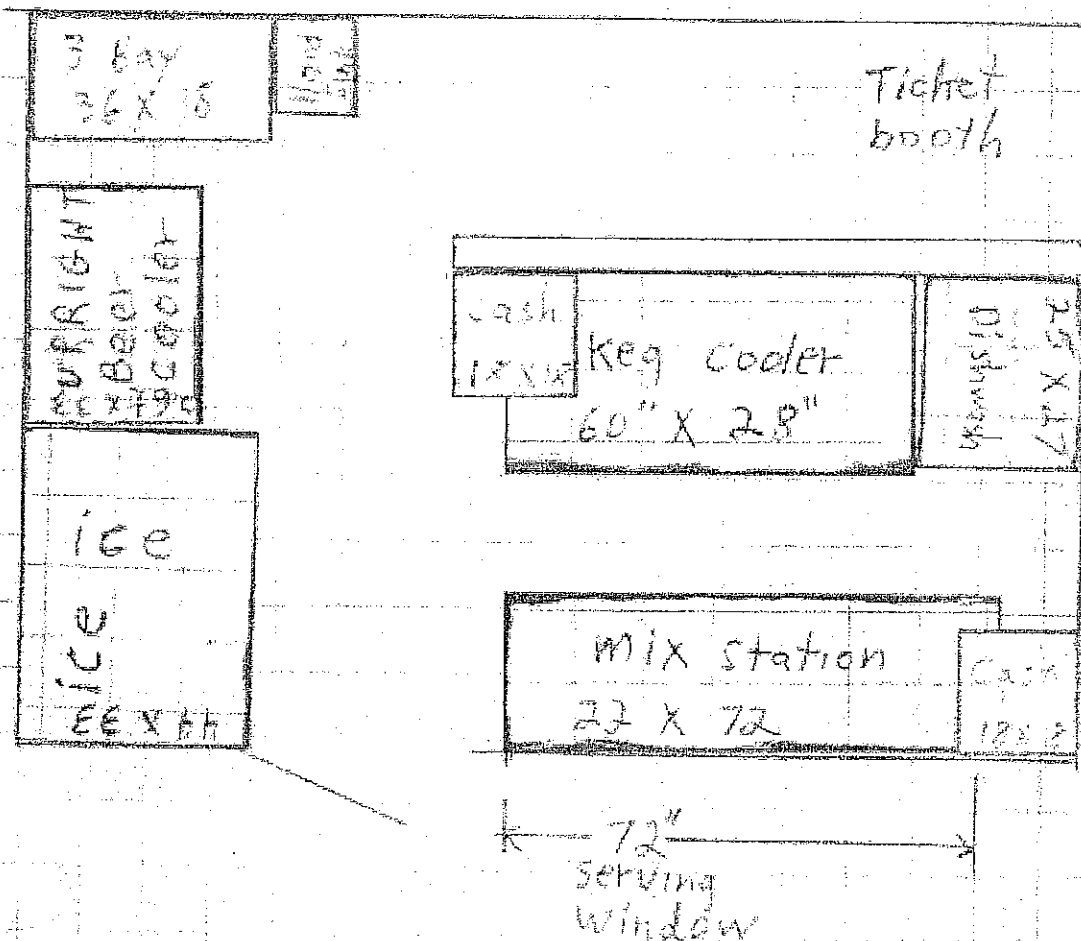


CONCENTRATED FSEATING (2) FIRST FLOOR (90)

SCALE: $1/4" = 1'-0"$



Bar Layout



scale

1 square =
16"

1mm = 1"

Z Dance Hall

Menu

No food will be prepared on premises. All food is prepared off-site and is pre-wrapped.

Menu:

Ellio's brand frozen, pre-wrapped pizza \$2.⁰⁰ each

Manufactured by:

McCain Foods U.S.A., Inc.

Consumer Affairs Dept.

2275 Cabot Dr.

Lisle, IL 60532

And sold by:

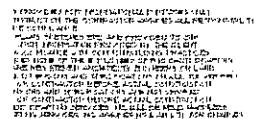
BJ's Wholesale Club

513 Warren Ave

Portland, ME 04103

After purchase I will transport the frozen pizza in my car in a cooler. It is a 6 minute trip from BJs to my business, so thawing should not be an issue. Once at the business I will promptly store the frozen pizza in a freezer in a basement storage room (already used for caterers to stage their food). To fill an order I will take a pizza out of the freezer, unwrap it, microwave it on a paper plate, and serve it on the same paper plate. The paper plate will be thrown away after use. I will maintain an inventory of 192 pizzas (one for each seat while bar is open) on-site at all times.

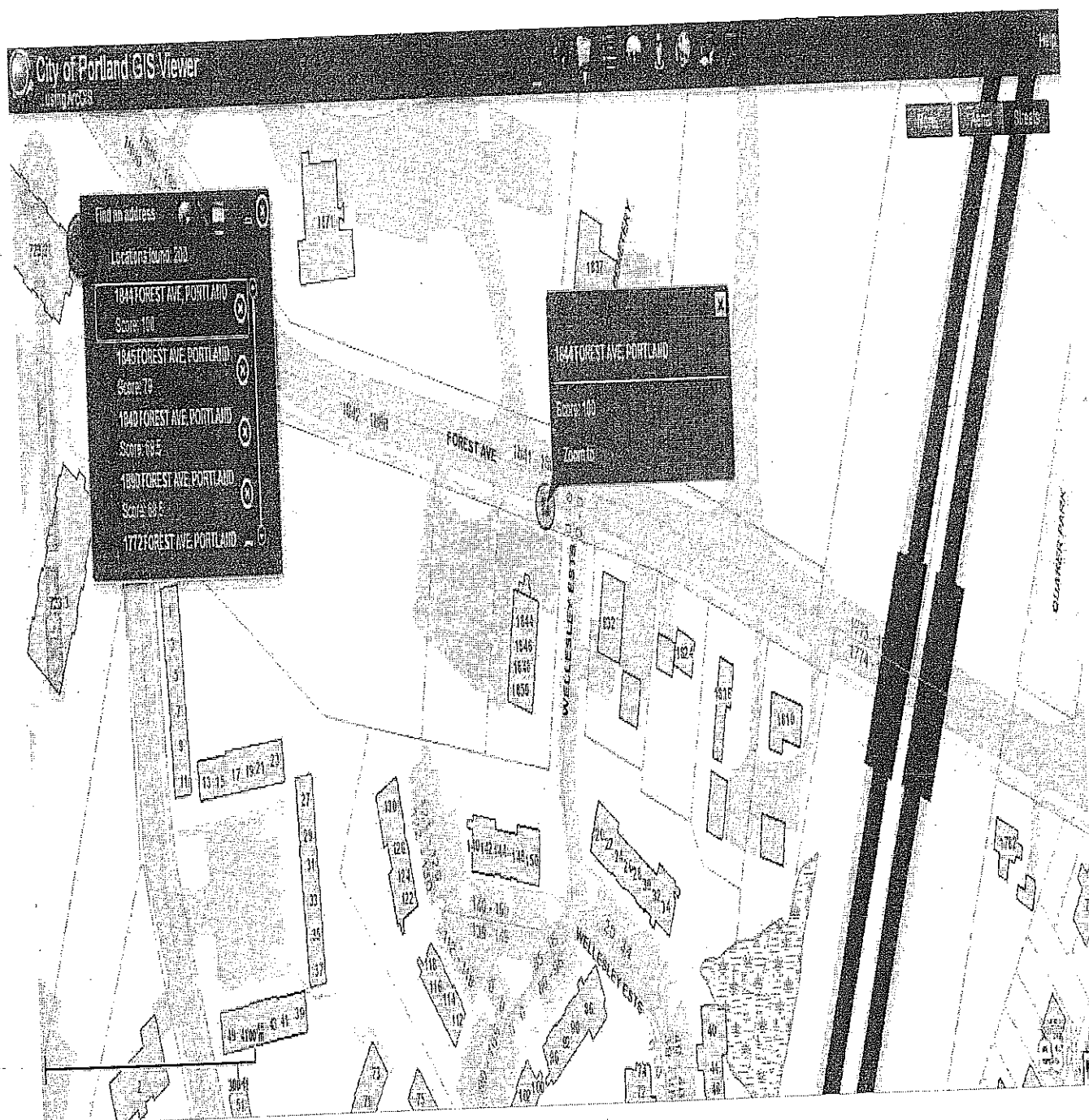
Wedding receptions and other special events may be catered. All **catered food will be cooked off-premises and all plates, glasses, and utensils will be cleaned off-premises.** Catered food may be staged prior to serving in the basement room under the stage.



LS1 SCALE: 1/4" = 1'-0"



2 CONCENTRATED FSEATING (2) FIRST FLOOR (90)
LS1 SCALE: 1/4" = 1'-0"



April 7, 2013

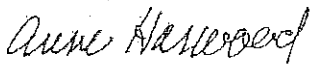
Gabriel Zappia
18 Cottage Lane,
Cape Elizabeth, ME 04107

Dear Mr. Zappia:

We write to follow-up on the phone conversation we had with you last month about your plans to open a dance hall with a liquor license at 1844 Forest Avenue in Portland - and to let you know Portland Friends Meeting does not think that the proposed dance hall activities will interfere with our own. We believe in good stewardship and appreciate your work to offer multiple uses of your building to the community.

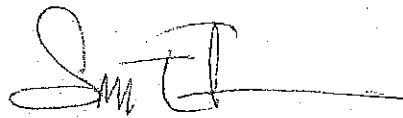
In addition, we greatly appreciate your willingness to allow us to park vehicles occasionally on your property as overflow parking. We can reciprocate in sharing our meetinghouse parking lot when we are not holding events; however, we must be clear that the policy for our property is that we do not allow alcohol on the premises for any reason.

Best wishes,



Anne Harwood

and



Sarah Cushman

Co-Clerks
Portland Friends Meeting
1837 Forest Avenue
Portland, ME 04103
(207) 797-4720



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE) (207) 624-4478 (TDD)

Transaction Response #: MIQ99C307753

Criminal History Record

Introduction

This rap sheet was produced in response to the following request (Produced on 2014-10-22) :

Inquiries Name(s) GABRIEL ZAPPIA (1956-11-22)

The information in this rap sheet is provided subject to the following caveats:

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Assurance that the person sought are one and the same requires verification through fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing or credit, the person making the eligibility determination should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S.A. subsection 620. (CRSA; 2013-10-17)

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2014-10-22 (CRSA)**

1. This record, effective September 1, 2000, contains information relating solely to persons either arrested as a fugitive from justice [15 M.R.S.A. 201.4 or arrested or charged with a State of Maine criminal offense. It does not include Class D or E crimes in Title 12 or Title 29-A, formerly Title 29, unless the crime is alcohol-related or drug-related [25 M.R.S.A. 1541.4-A.A], and certain former crimes no longer classified as criminal. 2. For information

regarding excluded Marine Resources crimes in Title 12, contact the Department of Marine Resources. 3. For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. 4. For information relating to excluded crimes in Title 29-A, formerly Title 29, contact the Secretary of State, Motor Vehicle Division. 5. A list of former crimes is available from this Bureau. (CRSA; 2013-10-23)

Identification

Subject Name(s)

ZAPPIA, GABRIEL JOSEPH

Subject Description

FBI Number	State Id Number MES003430 (ME)	DOC Number Unknown/NA
Social Security Number Unknown/NA	Driver's License Number Unknown/NA	
Miscellaneous Numbers Unknown/NA		
Sex MALE	Race White	Skin Tone DARK
Height 5'9" (1991-06-06)	Weight 165 Pounds (1991-06-06)	Date of Birth 1956-11-25
Hair Color Brown (1991-06-06)	Eye Color Brown (1991-06-06)	Fingerprint Pattern Unknown/NA
Scars, Marks, and Tattoos Unknown/NA		
Blood Type Unknown/NA	Medical Condition Unknown/NA	
Place of Birth ME	Citizenship US (1991-06-06)	Ethnicity Unknown/NA
Marital Status Unknown/NA	Religion Unknown/NA	

Employment

Unknown/NA

Residence

Residence as of	1991-06-06
Location Type	PHYSICAL
Mailing Address	RT 27 BOX 7330 PITTSTON, ME US

Telephone

Residence as of	1991-06-06
Location Type	PHYSICAL
Mailing Address	RFD 4 BOX 7330 PITTSTON, ME US

Telephone

Fingerprint Images

Unknown/NA

Palmprint Images

Unknown/NA

Photo Images

Unknown/NA

DNA Data

Unknown/NA

Caution Information

Firearms Disqualified	D - Disqualified
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Criminal History**Cycle 001**

Earliest Event Date	1991-06-06
Arrest	No data supplied
Prosecutor Disposition	No data supplied
Court Disposition	(Cycle 001)
Court Agency	ME006025J
Charge	

Charge Number 052958B 001
 Charge Tracking Number 052958B
 Charge Case Number CR91-466
 Agency ME006025J
 Offense Date 1991-06-06
 Charge Description UNLAWFUL TRAFFICKING IN SCHEDULED DRUGS
 (Charge Class C)
 Statute 17-A MRSA SUBSECTION 1103
 State Offense Code 5029 (ME)
 Severity Felony
 Disposition GUILTY (1992-09-03; ME)

Sentencing	(Cycle 001)
Sentencing Agency	ME006025J
	Court Case Number CR91-466
	Charge Number 052958B 001
	Charge Tracking Number 052958B
	Sentence 1992-09-03: FINED \$2000.00 STAYED 30 MONTHS (1992-09-03)
	1992-09-03: INCARCERATED 5 years DEPARTMENT OF CORRECTIONS ALL SUSPENDED (1992-09-03)
	1992-09-03: PROBATION 3 years (1992-09-03)

Corrections	No data supplied
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Index of Agencies

Agency	SUPERIOR COURT AUGUSTA; ME006025J
Contact	
Agency Telephone	207-6229357
Agency Facsimile	
Agency Email Address	
Mailing Address	95 STATE ST AUGUSTA, ME 04330

Agency	MAINE DRUG ENFORCEMENT AGENCY AUGUSTA; ME0063000
Contact	
Agency Telephone	207-6248980
Agency Facsimile	
Agency Email Address	
Mailing Address	36 HOSPITAL STREET STATE HOUSE STATION 26 AUGUSTA, ME 04333

Business Licensing - Z DANCE HALL, LLC - PENDING Business License Approval

From: Gary Hutcheson
To: Business Licensing
Date: 11/8/2014 5:22 PM
Subject: Z DANCE HALL, LLC - PENDING Business License Approval

Z DANCE HALL, LLC - PENDING is Approved for their Business License Inspection by the Police Dept.

Date: 11/8/2014

Zone:
Comments: Approved.

Lt. Gary L Hutcheson
Portland Police Department
109 Middle St
Portland, Maine 04101
(207) 756-8295



Office of the City Clerk

Katherine L. Jones, CCM, City Clerk

November 19, 2014

Gabriel Zappia
18 Cottage Ln.
Cape Elizabeth, ME 04107

Re: Z Dance Hall, LLC d/b/a Z Dance Hall, LLC Application for a Class A Lounge License with Entertainment with Dance at 1844 Forest Ave.

Dear Mr. Zappia,

This letter shall serve as a reminder of the Public Hearing before the Portland City Council on **Monday, December 1st at 7:00 p.m.** for the review of the application for a Class A Lounge license with Entertainment with Dance for Z Dance Hall, LLC at 1844 Forest Ave. The meeting will take place in Council Chambers on the 2nd floor of City Hall, 389 Congress Street, Portland, ME 04101.

You or a representative of the business must be present at this meeting in the event that the City Council has questions regarding the license application. If there is no representation and questions arise, the issue could be postponed.

Should you have any questions or concerns, please do not hesitate to contact our office directly at (207) 874-8557 or by email, BL@portlandmaine.gov

Sincerely,

A handwritten signature in cursive script, appearing to read "Janice Gardner".

Janice Gardner
Business License Administrator
207-874-8557
bl@portlandmaine.gov

PUBLIC NOTICE

**Legal Advertisement
Notice of Public
Hearing
City of Portland**

A Public Hearing will be held on December 1st at 7:00 P.M., in City Council Chambers, 389 Congress St., on the application of Z Dance Hall, LLC d/b/a Z Dance Hall, LLC. Application for a Class A Lounge License with Entertainment with Dance at 1844 Forest Ave. Sponsored by Katherine L. Jones, City Clerk.

5181334

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

Order 25-14/15
~~*Tab 18 7-31-14*~~
~~*Tab 7 8-4-14*~~
~~*Tab 9 9-15-14*~~
~~*Tab 4 12-1-14*~~
JOHN R. COYNE (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING THE COLLECTIVE BARGAINING AGREEMENT WITH
POLICE SUPERIOR OFFICERS BENEVOLENT ASSOCIATION (PSOBA)**

ORDERED, that the attached Collective Bargaining Agreement with the Police Superior Officers Benevolent Association for January 5, 2014 through December 31, 2016, is hereby approved.

**CITY OF PORTLAND, MAINE
MEMORANDUM**

TO: Mayor Brennan and Members of the City Council
FROM: Thomas A. Caiazzo, Labor Relations Manager *TAC*
DATE: July 15, 2014
RE: First Reading - Tentative Agreement with:
Police Superior Officers Benevolent Association (PSOBA)

Staff has reached a tentative agreement with the Police Superior Officers Benevolent Assoc. (PSOBA) on a successor contract. The prior collective bargaining agreement expired December 31, 2013.

The PSOBA, which is comprised of 32 Police Lieutenants and Sergeants, has reached a tentative agreement with the City. The Administration is requesting a first reading on July 21, 2014. The tentative agreement is within the guidance received by the City Council on June 16, 2014.

This memorandum reflects the substantive changes to the expired collective bargaining agreement.

Article 4 - Salaries

4.1.1 Effective January 5, 2014 employees will receive a general wage increase of 1%; effective July 6, 2014 employees will receive a general wage increase of 1.0%; effective January 4, 2015 employees will receive a general wage increase of 1.0% and effective January 3, 2016 employees will receive a general wage increase of 3%. The wage increases are reflected in the attached pay plan.

Appendix A -- Pay Plan

Eliminates the first step of each category leaving two (2) steps.

Article 5 -- Hours and Overtime

5.5.2 Increase the administrative differential by \$5.00 for each category:
Sergeants from \$60.00/week to **\$65.00/week**
Lieutenants from \$70.00/week to **\$75.00/week**
CID/Patrol Admin Lieutenant from \$80.00/week to **\$85.00/week**

Article 9 -- Insurance

9.2 The Union has agreed in principle to the City's proposal to move from the current Health Plan to a new Value Based Insurance Design (VBID) health plan.

Article 10 – Pensions

To better address recruitment and retention issues within the Police Department, the City agrees to move all eligible participants to the Special 3C retirement plan, 2/3 of average high 3 salary years after 25 years of service, no minimum age.

*This provision is contingent upon the Police Patrol unit (PBA) reaching agreement on their contract as MainePERS requires both units to move to the new retirement plan together.

Article 29 – Term

This Agreement governs the rights of the parties from January 5, 2014 through December 31, 2016.

The total cost for the three (3) year agreement is approximately \$306,000.

This order will require a second reading at the August 4, 2014 Council meeting.

Cc: Mark Rees, City Manager
Michael Sauschuck, Police Chief
Vernon Malloch, Asst Police Chief
Janice Kimball, Acting Director of Human Resources
Danielle West-Chuhta, Corporation Counsel
Ellen Sanborn, Finance Director
Carlene Kessler, PAO, Human Resources
Clarkson Woodward, PAO, Police Department
Jennifer Lodge, Budget Analyst
Lori Schools, Financial Specialist

Attachment

SOA Contract Tentative Agreement 6/10/14

2.1 below the rank of Major and above the rank of Patrol Officer, thereby including all of the permanent, full time Sergeants and Lieutenants.

4.1.1 4.1.1 Effective January 5, 2014 employees will receive a general wage increase of 1% and effective July 6, 2014 employees will receive a general wage increase of 1%. January 4, 2015 employees will receive a general wage increase of 1%. and effective January 3, 2016 employees will receive a general wage increase of 3%. These wage increases are reflected in the pay plan attached as Appendix A.

4.2 Sergeants who are assigned temporarily to the position of patrol shift commander, when there is no Lieutenant assigned as Patrol Shift Commander, shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

If the Administrative Lieutenant is not on duty, the Sergeant permanently assigned to the Traffic Division shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

If there is no Lieutenant assigned as the A-1 team Patrol Shift Commander, the Sergeant permanently assigned to the JetPort shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

If the Criminal Investigations Division Lieutenant is not on duty, a Sergeant permanently assigned to the Criminal Investigations Division shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

If the Community Affairs Lieutenant is not on duty, a Sergeant permanently assigned to the Community Affairs Division shall be paid the percentage difference between the minimum rate of pay between the sergeant and lieutenant wage rates in addition to their regular base hourly rate for all hours worked in the higher assignment, provided that the duration of the assignment comprises one-half of the total shift or more.

In each occurrence enumerated in this section, administrative differential will be added to this higher rate and the assigned Sergeant will be expected to perform any administrative work related to the higher class assignment that is required.

4.3.1 Superior Officers assigned to one of the following full time specialty positions shall receive pay for their appropriate salary plus a specialty differential per week which is based on time in position step increases:

Lieutenant-Community Policing, Lieutenant-CID, Lieutenant-Internal Affairs, Lieutenant-Administrative (instead of Homeland Security), Lieutenant – Jetport, Sergeant-CID, Sergeant-CRU, Sergeant –Jetport (instead of Emergency Management), Sergeant-Internal Affairs, Sergeant-Training, Sergeant – Community Policing, Sergeant - Traffic

Full time

0-3 years \$30

3-8 years \$35

8+ years \$40

4.3.2 Superior Officers possessing one of the following part time specialty positions shall receive pay for their appropriate salary plus a specialty differential per week which is based on time in position step increases:

Supervisor-Canine Unit, Accident Re-constructionist, Hostage Negotiator, Special Reaction Team, Certified Firearms Instructor, Dive Team, Hazardous Devices Unit, HazMat Technician

Part time

0-3 years \$20

3-8 years \$25

8+ years \$30

4.3.3 Specialists on the Special Reaction Team, Hostage Negotiation Team and the Hazardous Devices Unit will receive specialty pay upon completion of their required training or certification as designated by the Police Chief.

4.3.4 Superior Officers selected to a full time specialty may hold and be compensated for up to one (1) additional part time specialty as listed above.

4.3.5 Current 4.3.3 language

Delete old 4.3.2

4.5.2 delete

5.1.1 eight (8) or ten (10) hours respectively

5.1.4 eight (8) or ten (10) hours per day

5.3.1 **Special Details** - agreed to "employees shall be paid a minimum of six (6) hours pay at the **top Lieutenant's pay plus 25%** or 1- ½ times the **top Lieutenant's pay plus 25%...**"

5.5.2 The following administrative differential shall be paid effective *upon the signing of the final agreement*:

Sergeants - \$65.00 per week

Lieutenants - \$75.00 per week

CID/Patrol Admin Lieutenant - \$85.00 per week

5.5.3 delete

5.7 comprised of the Major

6.2 In no instance shall more than 40 (five 8's) or 50 (five 10's) hours of holiday time respectively be carried into the next calendar year.

8.3 "The City further agrees to pay up to **one hundred** dollars (**\$100**) for repair or replacement..."

8.5 delete....and the Homeland Security Lieutenant

8.6 (new section) Effective January 1, 2014 the CRU Sergeant will be reimbursed by the City for the purchase of articles of clothing that are reasonably necessary for the performance of their duties up to a maximum of \$500.00 per year. This maximum applies to the purchase, maintenance and replacement of civilian clothing.

12.1.1 "the employee shall receive an amount equal to his/her salary at the time of retirement for one-half (1/2) of accumulated sick leave up to a maximum of **900 hours** of pay, provided the employee has a minimum of **480 hours** of sick leave accumulated. Retiring employees with less than **480 hours** shall not receive any payment."

24.1 delete..... D, and E

Appendix A deleted the "Captain" designation and deleted first step in each of the other classifications. There will be two steps in each classification.

Appendix C add business cards, job specific books, outer vest carrier, and promotional study material

Appendix E delete

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

Order 95-14/15
Tab 18 ~~*11-17-14*~~
Tab 5 *12-1-14*
JOHN R. COYNE (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING THE
COLLECTIVE BARGAINING AGREEMENT WITH
THE CITY EMPLOYEES BENEFIT ASSOCIATION (CEBA)**

ORDERED, that the attached Collective Bargaining Agreement with City Employees Benefit Association (CEBA) of the American Federation of State, County and Municipal Employees (AFSCME) Local 1373 for July 1, 2013 through June 30, 2016, is hereby approved.

CITY OF PORTLAND
MEMORANDUM

To: Mayor Michael Brennan and Members of the City Council

From: Thomas Caiazzo, Labor Relations Manager *TAC*

Date: November 4, 2014

RE: Order/First Reading of CEBA, AFSCME Local 1373

City staff has reached a tentative three (3) year agreement with our largest bargaining unit, CEBA AFSCME Local 1373 representing approximately 500 City employees. The CEBA contract expired on June 30, 2013; as such the parties have been negotiating a successor contract for nearly eighteen months. Terms of the three year agreement include a 1.0% general wage increase for Fiscal Year (FY) 2014 retroactive to July 7, 2013; a 1.0% general wage increase retroactive to July 6, 2014 (or minimum \$.17); a 1.0% general wage increase effective January 4, 2015 (or minimum \$.17) and a 3.0% general wage increase effective July 5, 2015. The general wage increases are consistent with guidance received by Council on October 6, 2014 and they are consistent with other negotiated contracts for the same period. The contract term is July 7, 2013 through June 30, 2016. The total direct cost of the general wage increase is \$972,000.00. However, \$485,000.00 has been appropriated and accounted for through the FY 14 and FY 15 budget approval process.

Other terms of the tentative agreement include:

Article 4 – changed the union dues collection language to conform with Maine statutes

Article 15 – agreed to Health Plan design changes.

Article 16 – changed the pension language to comply with MEPERS regulations.

Article 19 – 3% stipend for certification as a Land Surveyor in Training

Article 20 – allows the use of sick leave accruals for scheduled medical/dental appointments.

Appendix B1 – upgraded the following positions:

Administrative Assistant Grade 7 to Grade 8

Customer Service Representative Grade 7 to Grade 8

Administrative Associate Grade 11 to Grade 12.

All other provisions of the contract remain intact for the term of the agreement.

This order will require a second reading at the December 1, 2014 Council meeting.

Cc: Sheila Hill-Christian – Acting City Manager
Danielle West-Chuhta – Corporate Counsel
Jennifer Thompson – Associate Corporate Counsel
Julianne Sullivan – Acting Health & Human Services Director
Mike Bobinsky – Public Services Director
Janice Kimball – Acting Human Resources Director
Suzanne Knight – Acting Finance Director
Carlene Kessler – Principal Admin Officer
Jennifer Lodge, Asst. Budget Director
Lori Schools, Financial Specialist

CEBA Cost Summary-Tentative Agreement
Contract Cost Impact (Annualized)

ITEM	BASE COST	YEAR 1 (FY14)	% INCR	YEAR 2 1st Half (FY15)	% INCR	YEAR 2 2nd Half (FY15)	% INCR	YEAR 3 (FY16)	% INCR	NOTES:
Base Wages	\$14,449,427	-	-	-	-	-	-	-	-	Based on 494 Active Employees or 426.68 FTEs (09/02/14)
COLA*	-	127,978	0.9%	147,439	1.0%	150,570	1.0%	457,587	3.1%	Based on Pay Plans
Minimum of \$0.17 COLA	-	-	0.0%	10,503	0.1%	8,710	0.1%	-	0.0%	FY15: \$0.17 > 1.0%
Night Shift Differential	238,784	-	0.0%	-	0.0%	-	0.0%	-	0.0%	103 Employees (93.1 FTEs)
Stipends (Other Fixed)	28,386	-	0.0%	-	0.0%	-	0.0%	-	0.0%	17 Employees (16.73 FTEs)
Stipends (% of Base Salary)	2,893	29	1.0%	86	2.9%	47	1.6%	91	3.0%	1 Employee (6%): Sr. Surveyor
FY15 New Surveyor Stipends	-	-	0.0%	2,949	100.0%	29	1.0%	117	3.9%	FY15 New LSIT @ 3% (Est. 2 Surveyor FTEs)
FY15 Reclassifications**	-	-	0.0%	18,339	100.0%	183	1.0%	556	3.0%	FY15: Admin Asst, Customer Svc Rep & Admin Assoc (16 Empl)
<i>Sub-Total Wages</i>	<i>\$14,719,489</i>	<i>\$128,007</i>	<i>0.9%</i>	<i>179,315</i>	<i>1.2%</i>	<i>\$159,540</i>	<i>1.1%</i>	<i>\$458,350</i>	<i>3.0%</i>	
Overtime	935,354	9,354	1.0%	4,724	0.5%	4,747	0.5%	28,625	3.0%	FY14 Actual; Based on COLA Increases
<i>Total Direct Costs</i>	<i>\$15,654,844</i>	<i>\$137,360.20</i>	<i>0.9%</i>	<i>\$184,039</i>	<i>1.2%</i>	<i>\$164,287</i>	<i>1.0%</i>	<i>\$486,976</i>	<i>3.0%</i>	
Health Insurance	2,508,201	250,820	10.0%	-	-	275,902	10.0%	303,492	10.0%	Inflationary Increase Only (Est. 10%)
Health Insurance - Plan Changes	-	-	0.0%	-	0.0%	-	0.0%	(182,095)	-5.0%	Projected 9% Savings Less 3% Cost of Wellness Initiative
	<u>6.5%</u>	<u>6.5%</u>		<u>7.8%</u>		<u>7.8%</u>		<u>7.8%</u>		<u>FY16 Est. % (FY15)</u>
Pension	1,017,565	8,928	0.9%	14,355	1.4%	12,814	1.2%	37,984	3.6%	Based on Increase in Total Wages
<i>Total Indirect Costs</i>	<i>\$3,525,766</i>	<i>\$259,749</i>	<i>7.4%</i>	<i>\$14,355</i>	<i>0.4%</i>	<i>\$288,716</i>	<i>7.6%</i>	<i>\$159,381</i>	<i>3.9%</i>	
<i>Total</i>	<i>\$19,180,610</i>	<i>\$397,109</i>	<i>2.1%</i>	<i>\$198,394</i>	<i>1.0%</i>	<i>\$453,003</i>	<i>2.3%</i>	<i>\$646,357</i>	<i>3.2%</i>	

*FY14 COLA: Current Employees w/ FY14 Hours History

**Reclassification Estimates:

(1) Admin Assist (CEBA): 9 Employees; Grade 7 to 8 Est. \$10,355

(2) Customer Serv Representative): 2 Employees; Grade 7 to 8 Est. \$2,189

(3) Admin Associate: Grade 11 to 12; 5 Employees Est. \$5,795

*Order 100-14/15
Tab 6 12-1-14*

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER GRANTING A \$30,000.00 LAND BANK FUND GRANT TO PEAKS
ISLAND LAND PRESERVE FOR ACQUISITION
OF THE ICE POND PROPERTY**

ORDERED, that a Land Bank Fund Grant Agreement awarding a Land Bank Fund grant to Peaks Island Land Preserve in the amount of Thirty Thousand Dollars (\$30,000.00) is hereby approved in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the Acting City Manager to execute said document and any other related documents necessary or convenient to carry out the intent of said document and this Order.

MEMORANDUM
City Council Agenda Item

TO: Mayor Michael Brennan and City Councilors

FROM: Michael J. Bobinsky, Director of Public Services

DATE: November 25, 2014

DISTRIBUTION: (City Manager, Mayor, Corporation Counsel, Sonia Bean, Nancy)

SUBJECT: Land Bank Commission – \$30,000 Land Bank Fund grant to Peaks Island Land Preserve for the Purchase of Ice Pond Property on Peaks Island.

SPONSOR: City Councilor Cheryl Leeman, Co- Chair of the Land Bank Commission

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading__December 1, 2014_____ Final Action__December 15, 2014_____

Can action be taken at a later date: _____ Yes X No (If no why not?)

At the Land Bank Commission's September 4, 2014 meeting, it voted unanimously to contribute \$30,000 to the Peaks Island Land Preserve (PILP) to be used for its purchase of the Peaks Island Ice Pond Property. PILP plans to close on the sale of the property at the end of December. In order to appropriate the funds, staff needs City Council approval for the use of the Land Bank funds no later than December 15, which is the last City Council meeting before the end of the year.

PRESENTATION: Cheryl Leeman, Tom Jewell, Co -Chair or (Michael Bobinsky), and John Whitman, President of Peaks Island Land Preserve

I. SUMMARY OF ISSUE

At the September 4, 2014 meeting of the Land Bank Commission (LBC), the Peaks Island Land Preserve (PILP) requested a \$30,000 grant from the Land Bank Fund to assist in PILP's acquisition of the two acre "Ice Pond" property on Peaks Island. According to PILP, the Ice Pond property is valued for its beauty, natural habitat, and its use as a family ice skating pond in the winter.

In order to conserve this land and continued public access to the property, PILP sought LBC assistance for the purchase of the property. PILP proposed that it would own the land, and the City--either alone or in conjunction with Oceanside Conservation Trust—would hold a conservation easement. After careful consideration, the LBC voted unanimously to recommend that the City Council approve a \$30,000 grant to PILP for the acquisition of the

property provided that a third party (Oceanside Conservation Trust) hold a conservation easement that allows continued public access to the property. The City's Bond Counsel has opined that the City may use the Land Bank funds for the acquisition of land in which the City has no ownership interest, provided that the money is spent in furtherance of a public purpose (in this case, the conservation easement and public access to the property).

After the LBC's September 4 meeting, PILP conducted further research on the Ice Pond and discovered that the City holds a fire pond easement on the property, which allows the City to draw water from the pond in the event of a fire on the northwest corner of the island, where there is no public water supply. (See copy attached). Notably, the pond has a dam that is in disrepair and that will require repair or replacement in the near future. In light of this discovery, PILP returned to the LBC at its November 6, 2014 meeting to discuss the possibility of a new scenario—for example, PILP proposed that the City might own the property and PILP would hold a conservation easement, or some other cooperative arrangement between the parties that would address the conservation, open space, public access, and public safety interests in the Property as well as the parties' rights and responsibilities with respect to the repair, replacement and/or maintenance of the dam. Because the potential liabilities of ownership of the property were not yet known (most notably, the cost of repairing or replacing the dam) the LBC rejected PILP's proposal for the City to own the property and reaffirmed its prior decision to recommend that the Council approve the \$30,000 grant for PILP's acquisition of the property with a conservation easement to be held by a third party. The LBC did, however, request that City staff explore further possible scenarios for a future cooperative agreement between the City and PILP regarding the maintenance of the property.

II. REASON FOR SUBMISSION (Summary of Issue/Background)

City Council must approve all recommendations for expending Land Bank funds by the Land Bank Commission. The Commission voted unanimously to endorse spending \$30,000 toward PILP's purchase of the property at their September 4, 2014 meeting and reinforced this action at their November 6, 2014 meeting, provided that PILP grant a conservation easement to Oceanside Conservation Trust or enter into a cooperative agreement with the City that addresses the parties' conservation, open space, public access, and public safety interests in the Property as well as their rights and responsibilities with respect to the repair, replacement and/or maintenance of the dam. The Corporation Counsel's office has prepared the attached Land Bank Fund Grant Agreement, which provides the terms of the grant to PILP. City staff request that the Council approve the grant and the authorize the Acting City Manager to execute a grant agreement in substantially the form attached hereto.

III. INTENDED RESULT

The Intended result is that PILP purchases the Ice Pond property and either grants a conservation easement to Oceanside Conservation Trust or enters into a cooperative agreement with the City as explained above.

IV. COUNCIL GOAL ADDRESSED

Advance environmental program; Improve City services. Approval of this grant to PILP will preserve a historic property on Peaks Island, maintain public access to open space, especially for ice skating, and enhance quality of living within the Peaks Island community.

V. FINANCIAL IMPACT

Funds are available for the grant. The current balance in the Land Bank Fund is \$355,000, and the Land Bank Commission budgeted \$100,000 for land acquisition expenses in FY15 which was included in the most recent year end annual report, dated April 2014.

VI. STAFF ANALYSIS

Staff recommends approval of the Land Bank Commissions endorsement of a \$30,000 grant to be used by PILP as a contribution toward the purchase of the Ice Pond property on Peaks Island, subject to the terms and conditions of the attached agreement. As set forth in the agreement, City staff will report back to the LBC regarding the cost of maintenance of the dam/pond and will ultimately determine if it is in the City's best interests to enter into a future cooperative agreement with PILP as discussed in this memorandum. If the City determines that doing so is not in the City's best interests, then the conservation easement (and maintenance responsibilities, etc.) will stay with PILP and Oceanside Trust.

VII. RECOMMENDATION

I recommend that the Council approve the \$30,000 Land Bank Fund Grant Agreement with PILP in substantially the form attached to this memorandum.

VIII. LIST ATTACHMENTS

- Fire Pond Easement**
- Land Bank Fund Grant Agreement**
- Draft Conservation Easement**
- October 29, 2014 Correspondence from the PILP to the Land Bank Commissioner.**
- Copy of Aerial Site Map and property boundary map**

Prepared by: Michael J. Bobinsky, Director of Public Services

Signature

Date

PEAKS ISLAND LAND PRESERVE

P.O. Box 99

Peaks Island, Maine 04108

October 29, 2014

Thomas F. Jewell, Esq.
Hon. Cheryl A. Leeman
Land Bank Commission
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Peaks Island Land Preserve/Ice Pond Project

Dear Tom and Cheryl:

I am writing to provide you and the other members of the Land Bank Commission with background on the request of the Peaks Island Land Preserve ("PILP") to return to the Commission on November 6 to continue the discussion of its planned acquisition of the Ice Pond property on Peaks Island (the "Ice Pond.")

As you know, on September 4, 2014, the Commission voted to recommend to the City Council a \$30,000 grant to PILP for its acquisition of the Ice Pond. PILP was pleased by that vote and happy to hear Commission members' enthusiasm for the project. PILP has had the Ice Pond on its wish list for years because of its beauty, its natural habitat, and its use as a beloved family skating pond. The Peaks Island community strongly supports long-term conservation of the Ice Pond. Since signing a contract last December to purchase the approximately two-acre parcel, PILP has conducted a successful fundraising campaign, receiving contributions from more than 200 donors, most of them individual islanders.

Our request to return to the Land Bank Commission should not be understood as a suggestion that the September 4 outcome was not a good one. Rather, we are returning in order to ask for more discussion about the soundest ownership structure for the Ice Pond over the long term. It has been suggested since we last appeared before the Commission that it would be a good idea to explore those options more thoroughly before moving forward.

Prior to the September meeting, the idea we discussed with Corporation Counsel Danielle West-Chuhta was that PILP would own fee title to the Ice Pond and the City would hold a Conservation Easement on it, either solely or in conjunction with Oceanside Conservation Trust of Casco Bay ("OCT"). We were agreeable to that, or any other functional partnership involving the City. However, at the September meeting, the idea of the City being sole or co-holder of the CE was rejected in favor of PILP owning fee title and giving a Conservation Easement to OCT only.

It is our understanding that in the past, the City has always been granted some ownership interest in properties in which the Land Bank has invested. We know that last year, the City's bond counsel reversed a previous ruling, opining that it is not essential for the City to hold an ownership interest in Land Bank-funded properties. However, this would be the first case where the City would be obtaining no legal interest.

We have some concern that at the City Council level, there could be concern about proceeding in this manner, both because it has never been done before and also because since 2005 the City has held a fire pond easement on the Ice Pond, allowing it to draw water from the pond using a dry hydrant. This easement expands capacity to fight a fire in the northwest corner of the island, where there is no public water supply.

In mid-October, Fire Chief LaMoria and Mike Murray came out to the island to tour the Ice Pond area. I told them PILP will make every effort to do what is necessary to maintain the pond in its current condition. However, as an all-volunteer organization, PILP feels somewhat daunted by the prospect of being solely responsible to maintain the pond, especially because we are aware the dam that impounds it is in need of repair.

As you may recall, the purchase price for the Ice Pond is \$60,000. But we set (and met!) a fundraising goal of \$160,000 because we know work will be needed on the old laid stone masonry dam that was built by the Trefethen family in the early 20th century to create a pond for the purpose of cutting winter ice for year-round use. During our due diligence investigation we had an engineer come out to evaluate the dam's condition. To no one's surprise he indicated shoring up or replacement of the structure will be necessary to protect the integrity of the pond. He was unable, however, to provide us with a firm plan or cost estimate for this work.

Over the summer we have had numerous conversations with people knowledgeable about dam repair. There are a lot of opinions about how to go about the task of shoring up the dam's weaknesses, and we are now evaluating them. Our hope is to identify a simple, effective solution. In our view, there is no need for what is now a low-profile masonry dam to be replaced by a large, heavily-engineered structure. Despite the uncertainty about how to actually proceed with the dam repair, PILP's Board voted to move forward with the purchase, believing the conservation value of the Ice Pond justifies whatever the cost may be to repair the dam.

Since the September meeting, however, we have had a number of informal conversations with commission members and city officials, some of whom expressed the wish to discuss in more detail whether it is in the best interest of both PILP and the City to approach this project as conceptualized at the September meeting – with PILP owning the fee title and OCT holding a Conservation Easement. We do not know how realistic it is for two non-profit conservation organizations to spearhead the design, permitting and repair/reconstruction of the dam. It has been suggested that the complexity of this task would be lessened considerably if the City had an ownership interest, as well as a practical interest, in doing what is necessary to maintain the pond's integrity.

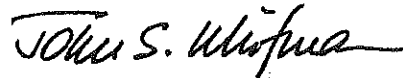
A potential option we would like to explore is for the City to hold fee title to the Ice Pond, and PILP to hold a Conservation Easement on it to protect it from future development. The CE would designate PILP as day-to-day steward, similar to the existing CE held by PILP on 100 +/- acres of City-owned land in the center of the island. As owner of the fee interest, the City would retain rights to maintain the Ice Pond so it will continue to function as a firefighting tool. PILP handle habitat management and supervise its use as a skating pond in the winter.

If the City Council accepts the recommendation that \$30,000 of Land Bank funds be allotted to this project, PILP would still use that money to fund part of the purchase. We recognize there may be other options that make as much or more sense than this, and we will be happy to discuss them with you as well.

If it is decided to stick with the original plan, whereby the City would have no legal interest in the Ice Pond, and the Council accepts the Commission's pending recommendation, PILP is prepared to accept the \$30,000 grant and make its best efforts to address the dam issues. But it does seem to our Board that a PILP-City partnership of some sort might make more sense.

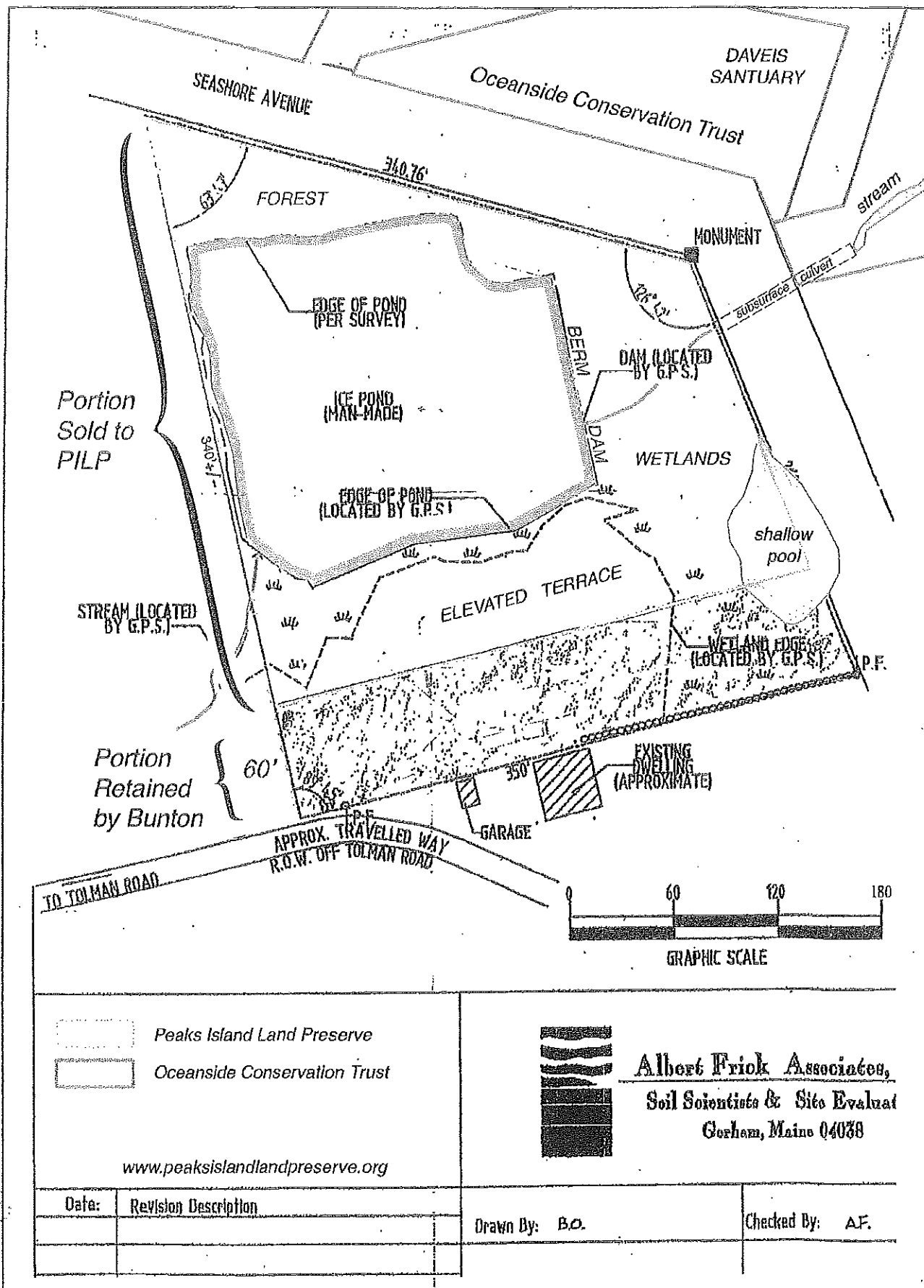
For your reference, I have attached to this letter the report of the engineer who evaluated the dam's condition earlier this year, as well as a copy of the fire pond easement discussed above. We look forward to our discussion with you on November 6.

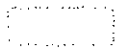
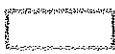
Best regards,

A handwritten signature in black ink, appearing to read "John S. Whitman". The signature is fluid and cursive, with a long horizontal stroke at the end.

John Whitman, President
Peaks Island Land Preserve

Enc: Ice Pond Dam Study
Fire Pond Easement



-  Peaks Island Land Preserve
-  Oceanside Conservation Trust

www.peaksislandlandpreserve.org



Albert Friok Associates,
Soil Scientists & Site Evaluators
Gorham, Maine 04038

Date:	Revision Description	Drawn By: B.O.	Checked By: A.F.

SEASHORE AVE

ICE
POND

APPROX. 2.2 AC AREA
TO BE PURCHASED BY PILP
(See Survey For Details)

**CONSERVATION EASEMENT
THE ICE POND
PEAKS ISLAND, MAINE**

**PEAKS ISLAND LAND PRESERVE, OWNER
OCEANSIDE CONSERVATION TRUST OF CASCO BAY, HOLDER**

PEAKS ISLAND LAND PRESERVE, a non-profit corporation organized and existing under the laws of the State of Maine with a mailing address of P.O. Box 99, Peaks Island, Maine 04108, on behalf of itself, its successors and assigns, and any successors in interest to the Protected Property ("Owner"), hereby grants, with QUITCLAIM COVENANT, to **OCEANSIDE CONSERVATION TRUST OF CASCO BAY**, a non-profit corporation organized and existing under the laws of the State of Maine, with a mailing address of P.O. Box 10404, Portland, Maine 04104, its successors and assigns ("Holder"), in perpetuity, a Conservation Easement (the "Easement") on and over certain land located on Peaks Island in the City of Portland, County of Cumberland and State of Maine, more particularly described in Exhibit A hereto, and depicted on Exhibit B hereto, both of which exhibits are attached and made a part hereof by reference, (the "Protected Property") on the terms and conditions set forth herein, as follows:

I. PURPOSE

It is the purpose of this Conservation Easement to provide significant public benefit by protecting and preserving in perpetuity: (a) significant bird and amphibian habitat offered by an existing freshwater pond on the Protected Property; (b) continuation of the historic use of the pond during winter for ice-skating and other low-impact recreational opportunities by the general public, and (c) maintenance of the water level in the pond in order to preserve its use as a fire pond.

II. RECITALS

The following recitals more particularly describe the conservation values of the Protected Property (hereinafter, the "Conservation Values") and are incorporated herein as essential terms of this Easement.

WHEREAS, the Protected Property consists of an undeveloped parcel two acres in size, located approximately one hundred yards from Casco Bay in a wooded area at the northeasterly end of Peaks Island;

WHEREAS, the Protected Property is the site of a manmade pond created in the early 1900s by the island's ice merchant, who built a dam across a small brook, cut ice in the winter, stored it in an ice house, and the following summer, supplied hotels and cottages with ice for refrigeration;

WHEREAS, over time, the Protected Property developed into a dynamic ecosystem that supports a variety of flora and fauna, including significant bird activity and amphibian habitat;

WHEREAS, preservation of the Protected Property as open space will help maintain its biological integrity;

WHEREAS, while the Protected Property has not been used as a source of ice in recent years, it has been for several generations a recreational hub for skaters of all ability during the winter months;

WHEREAS, since 2005 the City of Portland has held an easement (the "Fire Pond Easement") allowing the City to use the Protected Property for fire protection purposes on that area of the island, which is has limited public water (and none in the winter months);

WHEREAS, the Protected Property provides a scenic natural landscape along the shore of Casco Bay;

WHEREAS, the public has full access to the Protected Property via Seashore Avenue, so-called;

WHEREAS, this Easement will assure the permanent availability of the Protected Property for the preservation of its important natural resources and ecosystem, and will provide continued opportunity for nature study, recreation and similar activities by the general public.

NOW THEREFORE, in consideration of the foregoing purposes and recitals and for the benefit of the general public, Owner and Holder have established this Easement on, over and across the Protected Property consisting of the foregoing purposes and recitals and the following terms, covenants, restrictions, and affirmative rights granted to Holder and reserved to the Owner, all of which shall run with and bind the Protected Property in perpetuity.

III. LAND USES

A. Land Use.

The Protected Property shall be maintained as open space in its natural state, and used for conservation, nature observation, low-impact recreation, and fire protection, and shall remain open and available to the general public subject to rules that may be promulgated by Owner from time to time, consistent with the provisions of this Easement.

B. Existing Conditions.

As of the effective date of this Easement, the Protected Property is open space. It has direct frontage on Seashore Avenue.

C. Inconsistent Uses Prohibited.

Any activity on, or use of, the Protected Property that is inconsistent with the purposes of this Easement or detrimental to the Conservation Values is expressly prohibited. This prohibition includes, but is not limited to, the activities described in subparagraphs 1 through 9, below.

1. Commercial, industrial, and residential uses, timber cutting, mining, and quarrying activities shall be prohibited on the Protected Property.
2. No standing timber or live vegetation on the Protected Property may be cut, intentionally burned or removed, except to remove dead or damaged vegetation, leaning trees, or live vegetation to the extent necessary to reduce the threat of fire or to combat fire, to eradicate the infestation of opportunistic non-native plants, pests, or plant disease, to promote wildlife habitat, to maintain existing open areas, or to insure the health and safety of the public. Any such work shall be carried out in accordance with then-current conservation management best practices.
3. No excavation, paving, filling, dredging, grading or other alteration may be made to the surface of the Protected Property or the pond on the Protected Property, except:
 - (a) to undertake permitted vegetation management;
 - (b) to stabilize the existing dam (which stabilization work may include replacing the current structure with a new structure of similar size and nature, if it is determined that the current structure cannot be stabilized);
 - (c) to draw water from the pond for the purpose of firefighting, as provided in the Fire Pond Easement, which is recorded in the Cumberland County Registry of Deeds in Book 22982, Page 208, and
 - (d) to remove accumulated silt and sediment from the pond bottom by mechanical means from time to time to prevent such silt and sediment from clogging the hydrant and fire pond piping and/or impairing the natural drainage courses, thus turning the pond into a marsh.

Alteration to the land portion of the Protected Property also may occur on a limited basis in order to establish unpaved footpaths, to prevent erosion or other damage to fragile areas, to undertake ecological studies under

professional supervision and archaeological studies under the supervision of a Maine licensed archaeologist and in accordance with generally accepted professional standards, provided that all such surface alterations shall be designed and constructed in accordance with then-current conservation management best practices to prevent soil erosion, prevent habitat damage, and preserve the undeveloped character of the Protected Property.

4. Natural water bodies and courses and wetlands on the Protected Property may not be altered except as necessary to stabilize the dam as aforesaid, or to draw water for firefighting pursuant to the Fire Pond Easement.

5. No structures of any kind shall be permitted on the Protected Property other than the existing dam as it may be improved, and the dry hydrant and piping associated with the Fire Pond Easement. The definition of structure shall include, but not be limited to, buildings, tent platforms, lean-tos, permanent benches, outhouses, portable toilets, waste disposal systems, outdoor lighting fixtures other than streetlights, trailers, antennae, apparatus for telecommunications and fences or other barriers. Notwithstanding the above, if Owner and Holder agree, benches that are not on a concrete or other permanent base may be placed on the Protected Property for the benefit of skaters and nature observers. Also if Owner and Holder agree, minor structures including but not limited to boundary markers, small unlighted informational and interpretive signs, commemorative plaques and monuments, and unlighted kiosks for displaying signs, notices, and educational information may be permitted. Such structures shall be constructed of dark-colored or natural-appearing materials that blend with the natural surroundings and complement the scenic features of the landscape, as documented in the Baseline Data.

6. No dumping, storage or burial of waste materials of any nature shall be permitted on the Protected Property, except vegetative waste resulting from permitted maintenance of the Protected Property.

7. No storage of abandoned vehicles or equipment or parts thereof shall be permitted, and no other offensive, hazardous or toxic waste material or substance shall be permitted in, on, or under the Protected Property, with the exception of herbicides used in conjunction with vegetation management if the use of same is otherwise permitted by this Easement.

8. Motorized off-road vehicles such as, but not limited to, snowmobiles, dune buggies, all-terrain vehicles, and motorcycles may not be operated on the Protected Property, except for purposes permitted by this Easement and for emergency response services.

9. The Protected Property shall not be divided or subdivided.

Nothing in this easement is intended to limit the rights of the City of Portland under the Fire Pond Easement.

D. Management Plan.

The Owner and Holder agree to collaborate to develop and keep up-to-date a Management Plan (the "Plan") for Protected Property that uses current best practices to protect the quality of the wetlands, enhance recreational use and minimize the danger of fire.

IV. OWNER'S RESERVED RIGHTS

Subject to the land use restrictions set forth in Section III above, Owner retains all ownership rights in and to the Protected Parcel, including the right to use the Protected Parcel for all purposes not inconsistent with this grant. Without limiting the generality of the above statement, the following particular rights are reserved by Owner, which may also be exercised by Holder of this Easement if so specified:

A. Right to Sell.

The Owner retains the right to sell or donate the Protected Property. However, any such sale or donation shall be subject to the terms of this Easement, which shall apply to the Protected Property in perpetuity.

B. Right to Monument and Blaze.

The Owner retains the right to set monuments along boundary lines and at the corners of the Protected Property for survey purposes and for boundary maintenance, provided that such boundary marking is done in a manner so as to minimize visual impact. Under no circumstances shall bright paint or other bright substances be used to blaze boundary lines.

C. Right to Place Signs or Markers.

The Owner shall have the right, but not the obligation, to place reasonably-sized, unlighted signs or markers on the Protected Property that identify the land as protected by this Easement, and to place a monument identifying itself as the donor of this Easement. Holder also shall have the right to place such signs or markers on the Protected Property.

D. Right to Establish Rules.

The Owner may establish rules and regulations for public use of the Protected Property and to control, limit or prohibit certain uses, including, but not limited to, fires, camping, use by organized groups or commercial outfitters, or any other public or private use which may detract from the Conservation Values of the Protected Property. All rules and regulations established by Owner shall be consistent with the terms of this Easement.

E. Right and Obligation to Seek Redress.

The Owner shall have the right and, if requested by Holder, the obligation to take all reasonable and appropriate steps to seek redress from any third party who acts in a manner inconsistent with this Easement and/or causes damage to the Protected Property, including but not limited to bringing legal action and seeking injunctive relief if warranted by the circumstances.

F. Right to Collaborate with City of Portland on Dam Repair

The Owner shall have the right to negotiate with the City of Portland, which holds the Fire Pond Easement, a plan to repair or replace the dam. Such negotiations may address the methods to be used to repair the dam structure, and if repair is not possible, the design of any new dam that would impound the Ice Pond so it can continue its historic function as a skating pond and a fire pond. The Owner agrees to keep the Holder informed about the nature of such discussions, but Owner shall have complete authority to decide the appropriate course of action for dam repair and replacement. In the event the City of Portland declines to become involved in the repair or replacement of the dam, the Owner shall have complete authority to make all decisions in regard to same, subject only to applicable local, state and federal laws. Nothing in this Easement is intended to obligate the Owner to undertake dam repair or replacement efforts that exceed the Owner's financial or practical capability, even if the failure to act results in the water level in the pond falling below its current level.

V. HOLDER'S AFFIRMATIVE RIGHTS

A. Annual Inspection.

The Holder shall inspect the Protected Property annually to assure that the Protected Property is maintained in compliance with all of the covenants and restrictions herein. Holder shall provide Owner with reasonable advance notice of its annual inspection and monitoring visit. Holder shall prepare and keep on file a monitoring report for each such inspection, and shall send a copy of each report to Owner.

B. Ongoing Right of Entry.

Holder shall have the right to enter the Protected Property for ongoing monitoring purposes without necessity of notice to Owner.

C. Right to Enforce.

Holder shall have the right to enforce this Easement by proceedings at law and in equity, including the right to require the restoration of the Protected Property to a condition in compliance with this Easement, after providing Owner with prior notice and reasonable opportunity to cure any breach, except where emergency circumstances require more immediate enforcement action.

Notwithstanding the above, despite Owner's intention to address the issue of stability of the dam promptly upon the execution hereof, as a practical matter, the extent of the dam repair/replacement efforts may be limited by financial considerations. Nothing set forth herein shall require Owner to raise, borrow or otherwise secure funds to repair or replace the dam in any particular manner, even if the techniques it can afford are not adequate to maintain the water level in the pond at its current level. The legal standard that shall be applied to the Owner in any enforcement action regarding the dam shall be whether the Owner made its best efforts to maintain the pond considering all of the circumstances existing at the time.

Further, Holder may not bring an enforcement action against Owner for injury to or change in the Protected Property resulting from natural causes or environmental catastrophe beyond the Owner's control, such as fire, flood, storm, and earth movement, or from any prudent action taken by Owner under emergency conditions to prevent, abate, or mitigate significant injury to the Protected Property resulting from such causes, or from acts committed by third parties; provided, however, that, as set forth herein, the Owner and Holder shall cooperate to take such action as may be reasonably necessary to remedy acts of third parties that, if such acts were committed by Owner, would constitute a breach of this Easement.

If a referee (if the matter is to be resolved by a referee), or a Court of competent jurisdiction (in case of an emergency that calls for injunctive relief), determines that this Easement has been breached, Owner shall reimburse Holder for Holder's reasonable costs of enforcement, including court costs, reference costs, mediation costs, reasonable attorney's fees, and any other payments ordered by such Court or referee.

1. Violations by Owner

In the event Holder determines, in its judgment, that Owner has committed or caused a violation of the terms of this Easement, then (except in the case of an emergency requiring immediate action) Holder shall notify Owner of the violation and confer with Owner concerning the appropriate corrective action to be taken. In the case of an emergency requiring immediate action, Holder shall retain all its rights to pursue against Owner all injunctive and other equitable remedies. In all other instances, however, the parties agree that they will attempt to resolve any disputes through mediation, as set forth in subsection 3 below; failing which they will refer the matter to a referee for determination, as set forth in subsection 4 below.

2. Violations by Third Parties

In the event Holder determines, in its judgment, that a third party has committed or caused a violation of the terms of this Easement, then (except in the case of an emergency requiring immediate action) Holder shall notify Owner of the violation and confer with Owner concerning the appropriate corrective action to be taken. As provided in Section IV (E) above, it shall be Owner's legal obligation to take all reasonable and appropriate steps to seek redress from such third party.

3. Mediation

All disputes between Holder and Owner, other than those in which Holder seeks immediate injunctive or other equitable relief, shall be submitted first to mediation, to be conducted by a mediator mutually agreeable to Holder and Owner. If the parties cannot agree on a mediator, they shall each name a mediator and those mediators shall select another mediator who shall conduct the mediation. The costs of mediation shall be shared equally by the parties. In the event the mediation does not result in a successful resolution of the dispute, either party shall have the right to bring legal action, where by agreement, the dispute shall be submitted to a referee, as set forth in subsection 4, below.

4. Reference.

In the event that mediation is unsuccessful, the parties agree that either of them may initiate a civil action in Maine Superior Court and further agree that in the event such an action is brought, they will mutually request the Court appoint a single referee who shall decide the case pursuant to Maine Rule of Civil Procedure 53, or any successor provision.

5. No Waiver

A delay in enforcement shall not be construed as a waiver of Holder's right to enforce the terms of the Easement.

VI. NOTICES

Any notices to Owner or to Holder required in this Easement shall be sent by registered or certified mail, or other courier providing reliable proof of delivery, to the addresses set forth in the preamble to this Easement, or to such other person or address as may be hereafter specified by notice in writing. All other communication shall be made by reasonable means under the circumstances, provided that facsimile and other electronic communication will not be deemed received unless there is proof of actual delivery.

VII. COSTS, TAXES, LIABILITY

A. Property Taxes.

It is understood by the parties that Owner intends to apply for tax treatment that reflects the fact this Easement effectively severs the development rights from the fee interest in the Protected Property and dedicates it for conservation purposes in perpetuity. Owner shall pay and discharge when due all property taxes and assessments imposed upon the Protected Property and any uses thereof. Owner shall keep the Protected Property free of any liens or encumbrances, including without limitation those arising out of any work performed for, materials furnished to, or obligations incurred by Owner. Holder may, at its discretion, pay any outstanding taxes or assessments and shall then be entitled to reimbursement by Owner.

B. Ownership Costs.

Owner acknowledges that Holder has neither possessory rights in the Protected Property, nor any responsibility or right to control, maintain, or keep up the Protected Property, except as set forth in the Management Plan, referenced in Section III (D) herein, as such plan may be amended from time to time. As between Owner and Holder, Owner shall retain all responsibilities and shall bear all costs and liabilities of any nature related to the ownership, operation, upkeep, improvement and maintenance of the Protected Property.

VIII. REQUIREMENTS UNDER STATE AND FEDERAL LAW

A. Perpetual Grant.

This Easement is established in perpetuity exclusively for conservation purposes consistent with the provisions of 33 Maine Revised Statutes ("MRS") §476 *et seq.*

B. Holder's Qualifications.

The Holder is qualified to hold conservation easements pursuant to 33 MRS §476 (2)(B) and under Internal Revenue Code ("IRS Code") Section 170(h)(3), to wit: a publicly funded, nonprofit 501(c)(3) organization with the authority to accept lands, easements, and buildings for the purpose of preserving and protecting natural, scenic, educational, recreational or open-space values of real property, and with the commitment to preserve the conservation values of the Protected Property.

C. Limited Assignment.

Holder's rights and obligations under this Easement shall be assignable to an entity that, in Holder's discretion, is financially and otherwise capable of assuming the responsibilities of Holder hereunder so long as such entity satisfies the requirements of IRS Code §170(h)(3), or successor provisions thereof, and the requirements of 33 MRS §476(2), or successor provisions thereof. As a condition of transfer, such assignee entity shall agree in writing to uphold the conservation purposes of this grant.

D. Notice of Activity.

Owner agrees to notify Holder prior to undertaking any activity or exercising any reserved right that may have a material effect on the conservation purposes of this grant.

E. Baseline Data.

In order to establish the present condition of the Property's natural, ecological, wildlife and aesthetic resources, and so as to be able to properly monitor future uses of the Property to assure compliance with the terms hereof, Holder and Owner will prepare an inventory of the Property's relevant features and conditions ("Baseline Data") within one year of execution of this easement. The Baseline Data shall include: surface photographs, topographical maps and a summary of key attributes of the Protected Parcel. This initial inventory of the Baseline Data shall be certified as accurate by Owner and Holder upon its completion, and shall be maintained and kept on file at the offices of Holder.

F. No Right to Use as Collateral.

The Owner represents that as of the date of this grant there are no liens or mortgages outstanding against the Protected Property. The Owner shall not have the right to use the Protected Property as collateral to secure the repayment of debt. Under no circumstance may Holder's rights be extinguished or otherwise affected by the recording, foreclosure or any other action taken concerning any subsequent lien or other interest in the Property.

G. Judicial Termination; Eminent Domain.

This Easement constitutes a property right owned by Holder. Notwithstanding that this Easement is an obligation, and not a financial asset, should it be extinguished, which may be accomplished only by judicial proceedings, or should any interest in the Protected Property be taken by the exercise of the power of eminent domain or acquired by purchase in lieu of condemnation subject to the prior written consent of Holder, and Holder is entitled to proceeds in accordance with 33 M.R.S. § 477-A(2), as amended, Holder agrees to use such proceeds for its conservation purposes.

IX. THIRD PARTY INTERESTS

If Holder shall cease to exist or to be a qualified organization under IRS Code §170(h), or should Holder no longer be authorized to acquire and hold Easements under 33 MRS §476 *et seq.*, and prior to its dissolution or disqualification Holder failed to make an assignment of its rights and obligations under this Easement, then such rights and obligations shall vest in such organization as a court of competent jurisdiction shall direct pursuant to the laws of the State of Maine, consistent with the requirements for an assignment pursuant to Paragraph VIII (C) herein.

X. GENERAL PROVISIONS

A. Governing Law.

This Easement is created pursuant to 33 MRS §476 *et seq.* The laws of the State of Maine shall govern the interpretation and performance of this Easement. Any general

rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to carry out the conservation purposes of this Easement. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

B. Joint and Several Obligation.

A person or entity's obligation hereunder as Owner, or successor owner of the Protected Property, shall be joint and several, and will cease, if and when such person or entity ceases to have any present interest in the Protected Property (or pertinent portion thereof), but only to the extent that the Protected Property (or relevant portion thereof), is then in compliance herewith. Responsibility of Owner for breaches of this Easement that occur prior to transfer of title will survive such transfer; provided that the new owner shall also be responsible for bringing the Protected Property into compliance.

C. Record Notice.

The Owner acknowledges that Holder will record this Easement in the Cumberland County Registry of Deeds. In addition, Owner agrees to incorporate the terms of this Easement by reference in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Protected Property. Owner further agrees to give written notice to Holder of the transfer of any interest at least sixty (60) days prior to the date of such transfer. The failure of Owner to perform any act required by this paragraph shall not impair the validity of this Easement or limit its enforceability in any way, or the validity of any transfer by Owner or its successor(s) in interest.

D. Estoppel Certificates.

Holder will provide certificates to Owner or third parties, indicating the extent to which, to Holder's knowledge after due inquiry, the Protected Property is in compliance with the terms of this grant, after an inspection by Holder made at Owner's cost within a reasonable time after Owner's written request.

E. Amendment.

Owner and Holder recognize that rare and extraordinary circumstances could arise which warrant modification of certain of the provisions of this Conservation Easement. To this end, subject to more restrictive laws and regulations, if any, Owner and Holder have the right to agree to amendments to this Conservation Easement without prior notice to any other party, provided that in the sole and exclusive judgment of Holder, such amendment enhances or does not materially detract from the conservation values intended for protection under this Conservation Easement. Amendments will become effective upon recording at the Cumberland County Registry of Deeds. Nothing in this paragraph shall require the Owner or the Holder to agree to any amendment or to negotiate regarding any amendment.

Notwithstanding the foregoing, Holder and Owner have no right or power to consent to any action or agree to any amendment that would result in substantial alteration to or destruction of the Conservation Values recited herein, or would limit the term or result in termination of this Easement, or would adversely affect the qualification of this Easement or the status of Holder under applicable laws, including 33 MRS §476 *et seq.*, IRS Code §§ 170(h) or 501(c)(3), successor provisions thereof and regulations issued pursuant thereto.

F. Future Changes to Area.

In making this grant, Owner has considered the possibility that uses prohibited by the terms of this Easement may become more economically valuable than permitted uses, and that neighboring properties may in the future be put entirely to such prohibited uses. It is the intent of both Owner and Holder that any such changes shall not be deemed to be circumstances justifying the termination or extinguishment of this Easement pursuant to Paragraph E, above.

G. No Waiver.

The failure or delay of Holder, for any reason whatsoever, to discover a violation or initiate an action to enforce this Easement shall not constitute a waiver or estoppel of its rights to do so at a later time.

H. Severability.

If any provision of this Easement or the application of any provision to a particular person or circumstance is found to be invalid, the remainder of this Easement and the application of such provision to any other person or in any other circumstances, shall remain valid. This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement, all of which are merged herein. Nothing contained herein will result in a forfeiture of this Easement or reversion to Owner of any rights conveyed hereby.

I. Standing.

Only Holder and Owner may bring an action to enforce this grant, and nothing herein should be construed to grant any other individual or entity standing to bring an action hereunder, unless otherwise provided by law; nor to grant any rights in the Protected Property by adverse possession or otherwise, provided that nothing in this Easement shall affect any public rights in or to the Protected Property acquired by common law, adverse possession, prescription, or other law, independently of this grant.

J. Captions.

The captions in this instrument have been inserted solely for convenience and are not a part of this instrument and shall have no effect upon construction or interpretation.

K. Binding on Successors and Assigns.

The terms “Owner” and “Holder” as used herein shall be construed to mean, unless the context clearly indicates otherwise, the within-named Owner, its successors and assigns and any successors in interest to the Protected Property, and Holder named herein, its successors and assigns.

L. Parties’ Counsel.

Owner has been represented by Brenda M. Buchanan, Esq., who drafted this Easement, to represent its interests in this transaction. Holder’s interests are being represented by its counsel, _____.

[INTENTIONALLY BLANK]

DRAFT

IN WITNESS WHEREOF, PEAKS ISLAND LAND PRESERVE, Owner herein, by and through its duly authorized President, John S. Whitman, has executed this instrument this _____ day of _____, 20____.

Signed, sealed and delivered
in the presence of:

PEAKS ISLAND LAND PRESERVE

Witness

John S. Whitman
President, Board of Directors

STATE OF MAINE
CUMBERLAND, ss

January ____, 2014

Then personally appeared the above-named John S. Whitman, in his capacity as President of PEAKS ISLAND LAND PRESERVE, and acknowledged his execution of the foregoing instrument in such capacity was his free act and deed and the free act and deed of PEAKS ISLAND LAND PRESERVE.

Before me,

Notary Public

Print Name

Commission expires:

Holder Acceptance:

The above and foregoing Conservation Easement was authorized to be accepted by the OCEANSIDE CONSERVATION TRUST OF CASCO BAY by the vote of its Board of Directors on _____, and the said Holder does hereby accept the foregoing Conservation Easement, by and through _____ its [title], hereunto duly authorized, this _____ day of _____ 20____.

OCEANSIDE CONSERVATION TRUST
OF CASCO BAY

By: _____
Name of Authorized Officer

STATE OF MAINE
CUMBERLAND, ss

Date: _____

Personally appeared the above-named _____, duly authorized President of OCEANSIDE CONSERVATION TRUST OF CASCO BAY, and acknowledged her execution of the foregoing instrument to be her free act and deed in said capacity and the free act and deed of the OCEANSIDE CONSERVATION TRUST OF CASCO BAY.

Before me,

Notary Public

Printed name
Commission expires:

EXHIBIT A

To Conservation Easement between Peaks Island Land Preserve and Oceanside Conservation
Trust of Casco Bay dated _____

[INSERT LEGAL DESCRIPTION]

DRAFT

EXHIBIT B

To Conservation Easement between Peaks Island Land Preserve and Oceanside Conservation
Trust of Casco Bay dated _____

[INSERT REDUCED-SIZE COPY OF RECORDED PLAN]

DRAFT

**LAND BANK GRANT AGREEMENT
BY AND BETWEEN
CITY OF PORTLAND
AND
PEAKS ISLAND LAND PRESERVE**

THIS LAND BANK GRANT AGREEMENT is made this ____ day of _____, 2014 by and among the **CITY OF PORTLAND**, a body politic and corporate (hereinafter "City"), and **PEAKS ISLAND LAND PRESERVE**, a Maine nonprofit corporation with a principal place of business in Peaks Island, Maine and a mailing address of P.O. Box 99, Peaks Island, Maine 04108 (hereinafter "Grantee").

W I T N E S S E T H:

WHEREAS, Grantee has executed a purchase and sale agreement for its purchase of certain real property located on Peaks Island and known as the Ice Pond property (the "Property") for the sum of \$60,000.00 (a description of the Property is attached hereto as Exhibit A); and

WHEREAS, the City holds a certain Fire Pond Easement Deed encumbering the Property, which easement grants the City access to the Property for firefighting purposes, as more fully described in that deed, which is recorded in the Cumberland County Registry of Deeds, Book 22982, Page 208 (the "Fire Pond Easement"); and

WHEREAS, the dam that impounds the pond on the Property is in need of repair; and

WHEREAS, at the September 4, 2014 meeting of the City's Land Bank Commission, Grantee requested, and the Land Bank Commission voted to recommend, that the City approve a grant of Thirty Thousand Dollars (\$30,000.00) from the City's Land Bank Fund to assist Grantee in its acquisition of the Property, in exchange for which the Grantee would grant to a third party a conservation easement on the Property for the benefit of the general public; and

WHEREAS, at the November 6, 2014 meeting of the Land Bank Commission, the Grantee proposed, as an alternative to the Land Bank Commission's September 4, 2014 recommendation, that the City and Grantee enter into a cooperative agreement for the purpose of protecting the parties' conservation and open space interests in the Property, the parties' interest in maintaining the dam, and the City's rights under the Fire Pond Easement Deed, and whereby, for example, the City would own the fee interest to the Property subject to a conservation easement that would be held by the Grantee; and

WHEREAS, at its November 6, 2014 meeting, the Land Bank Commission affirmed its September 4, 2014 recommendation, but requested that City staff explore

with Grantee the potential terms and conditions of such a cooperative agreement and return to the Land Bank Commission with a recommendation to either affirm the Land Bank Commission's September 4, 2014 recommendation or to enter into such a cooperative agreement with the Grantee; and

WHEREAS, by Order No. _____, dated _____, the City approved Grantee's request for a \$30,000.00 grant, on the condition that the Grantee either grant a conservation easement on the Property to a third party or enter into a cooperative agreement with the City as set forth herein.

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

1. On or before the date of the closing on the purchase of the Property by the Grantee, at which closing the deed for the Property will be delivered by the Seller to the Grantee, the City shall pay to the Grantee the sum of Thirty Thousand Dollars (\$30,000.00) from the City's Land Bank Fund for the Grantee's acquisition of the Property. In the event that said closing does not occur by June 30, 2015, this agreement shall terminate and Grantee shall receive no payment hereunder.
2. The Grantee shall cause the following language to be included in the deed from the current owner of the Property:

The property herein conveyed is being acquired by Grantee, in part, with funds from the City of Portland's (the "City") Land Bank Fund in accordance with the City's ordinances governing the Portland Land Bank Commission and Fund (Portland, Me., Code §§ 2-41 to 2-45) and pursuant to a grant agreement between the City and the Grantee, the terms of which are incorporated herein by reference, said agreement to be recorded. The Property is being acquired by the Grantee in furtherance of the Land Bank Commission's conservation and open space interests. The Property, and any subsequent transfer or sale of the Property, is subject to the provisions of said ordinances, as may be amended.

3. As soon as practicable after the execution of this agreement, City staff shall analyze whether it is in the City's best interests to enter into a cooperative agreement with Grantee that addresses the parties' rights and responsibilities regarding the ownership, use, and maintenance of the Property and shall report its findings and recommendations to the Land Bank Commission within 90 days of the date of this Agreement. In the event that City staff recommend that the parties enter into such an agreement, City staff shall request that the Land Bank Commission vote to recommend the same and present that recommendation to the City Council as soon as practicable.
4. Unless Grantee enters into a cooperative agreement with the City as described herein, Grantee shall, within 180 days after the date of its closing on the purchase of the Property, cause to be recorded in the Cumberland County Registry of Deeds a

conservation easement to be held by Oceanside Conservation Trust of Casco Bay in substantially the form attached hereto as Exhibit B.

5. Other than the conservation easement described herein, Grantee shall not grant easements or rights of way across any portion of the Property without prior written approval from the City.
6. The Grantee warrants and represents that it possesses the legal authority to apply for the grant and to be bound by the terms of this Agreement, and has either marketable title to the Premises or a binding Agreement to acquire the same. A resolution or similar action has been duly adopted by the governing body of the Grantee authorizing the execution of this Agreement, including all understandings and assurances contained herein, and directing and authorizing the person identified as the official representative of the Grantee to act in connection with this Agreement and to provide additional information as may be required by the City.
7. The Grantee warrants and represents that it has the funds and the commitment to finance its cost share of the acquisition of the Property together with all other costs of owning, managing, and maintaining the Property, except the City's Land Bank Fund share stated in this Agreement.
8. The Grantee warrants and represents that it shall use the moneys granted pursuant to this Agreement only for the purpose of the acquisition of the Property as provided for herein.
9. The Grantee shall keep a permanent record, available for public inspection, to clearly document that the Property has been acquired with Land Bank Fund assistance and that it is subject to the City's ordinances governing the Portland Land Bank Commission and Fund (Portland, Me., Code §§ 2-41 to 2-45).
10. The City, its employees, agents and representatives, shall have the right to enter the Premises at all times and in any manner without prior notice to assure compliance with the terms of this Agreement and any applicable laws.
11. In the event of dissolution of the Grantee, at least sixty (60) days prior written notice of such shall be provided to the City. Any transfer and disposal of the Property shall in accordance with City's ordinances governing the Portland Land Bank Commission and Fund (Portland, Me., Code §§ 2-41 to 2-45).
12. Except as otherwise provided herein, this Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. The Grantee shall incorporate the terms of this Agreement by reference in any deed or other instrument by which the Grantee sells or transfers any interest (including leasehold interest) in all or a portion of the Property.
13. All costs of recording all documents addressed in this agreement shall be borne by

Grantee.

14. In the event that the Grantee does not meet one or more of its obligations under this Agreement, or in the event of dissolution of the Grantee, the City may exercise, in its sole discretion, any of the following remedies following written notice and thirty (30) days opportunity for the Grantee to cure the default:

- a. the right to a return of the grant funds provided under this agreement;
- b. any other rights or remedies available at law or in equity including, but not limited to, the right to require that the Grantee perform remedial work and transfer title to the Property to the City or a successor designated by the City under such terms and conditions as the court may require. In the event that the City exercises any of the rights available to it upon default of the Grantee, the Grantee shall reimburse the City for its costs of enforcement and collection, including reasonable attorneys' fees.

15. This Agreement may not be amended, in whole or in part, except with the written consent of all of the parties hereto.

16. Any notices or requests for approval required by this Agreement shall be in writing and shall be personally delivered or sent registered or certified mail, return receipt requested, or by other courier providing reliable proof of delivery, to the Grantee and the City at the following addresses, unless one has been notified by the others of a change of address:

To Grantee: c/o John Whitman, President
Peaks Island Land Preserve
P.O. Box 99
Peaks Island, Maine 04108

To City: c/o Office of Corporation Counsel
City of Portland
389 Congress Street
Portland, Maine 04101

17. Assignment. The Grantee shall not assign any of its rights under this Agreement, for security purposes or otherwise.

18. Miscellaneous. Grantee understands that the grant funds to be supplied by the City represents the City's sole commitment to the cost of the Property. Unless agreed to in the cooperative agreement referenced herein or otherwise, any and all additional costs over and above the City's grant funding shall be borne by the Grantee. This Agreement does not form a partnership or joint venture between the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed on the day and date first above written.

WITNESS:

CITY OF PORTLAND

By: _____
Sheila Hill-Christian
Its: Acting City Manager

WITNESS:

PEAKS ISLAND LAND
PRESERVE

By: _____
John Whitman
Its: President

STATE OF MAINE

County of Cumberland

_____, 2014

Personally appeared before me the above-named Sheila Hill-Christian, Acting City Manager for the City of Portland, and acknowledged the foregoing instrument is her free act and deed in said capacity, and the free act and deed of the said City of Portland.

Notary Public/Attorney-At-Law

Typed or Printed Name: _____

Commission Expires: _____

PEAKS ISLAND LAND PRESERVE

By: _____
John Whitman
Its: President

STATE OF MAINE

County of Cumberland _____, 2014

Personally appeared before me the above-named John Whitman, President of Peaks Island Land Preserve and acknowledged the foregoing instrument is his free act and deed in said capacity, and the free act and deed of the said Peaks Island Land Preserve.

Notary Public/Attorney-At-Law

Typed or Printed Name: _____

Commission Expires: _____

FIRE POND EASEMENT DEED

We, Jon Boyle and Allyson Burton, both of 896 Seashore Avenue, Peaks Island, Cumberland County, Maine with a mailing address of 5430 Brownyard Ct, Burke, VA 22015 (hereinafter the Grantors), for consideration paid, grant to the City of Portland, a municipal corporation existing under the Laws of the State of Maine and located in Cumberland County, Maine, with a mailing address of 389 Congress Street, Portland, Maine 04101; its successors and assigns (hereinafter the Grantee), with warranty covenants, a perpetual easement to enter at any and all times with persons and machines upon a certain lot or parcel of land more specifically described below for the purpose of obtaining access to a fire pond, and a perpetual easement for the purpose of draining water for firefighting purposes from the pond, said pond being situated upon a certain lot or parcel of land more specifically described below, which lot or parcel of land is located on Peaks Island, Cumberland County, Maine;

This easement shall also include the right to enter at any and all times with men and machines upon said lot or parcel of land for firefighting purposes; the right, but not the obligation, to maintain and repair any access road on or to the fire pond location; the right, but not the obligation, to remove snow and ice from any access road; the right, but not the obligation, to install, maintain, repair and replace a dry hydrant upon said lot or parcel of land; the right, but not the obligation, to lay, re-lay, repair, maintain, relocate or replace an underground water line upon or under said lot or parcel of land with all necessary fixtures and appurtenances together with the right at any and all times to make connections with said water line to dry hydrant and to the pond located on said lot or parcel of land; the right, but not the obligation, to use the soil to such extent as may be needed to embank any of said lines and necessary fixtures and appurtenances to a cover of not less than three (3) feet over and around said lines; the right, but not the obligation, to trim, cut down and remove bushes and trees and to remove grass and growing crops on said parcel of land to such extent as in the judgment of the Grantee herein, its successors and assigns, is necessary for any of the above purposes; and the right, but not the obligation, to clean the pond as is reasonably necessary in the sole judgment of the Grantee herein, its successors and assigns, to allow the pond to serve its intended function hereunder;

Provided, however, that (1) after any such work, the Grantee herein, its successors and assigns, shall restore said lot or parcel of land substantially to its previous conditions; (2) the Grantors herein, their successors and assigns shall assume no responsibility for the repair and replacement of the dry hydrant and water line and necessary fixtures and appurtenances after initial proper installation by the Grantors, nor shall the Grantors herein, their heirs and assigns have any responsibility to maintain the water level in the pond.

FIRE POND EASEMENT DESCRIPTION

The lots or parcels of land subject to this easement located on Seashore Avenue, Peaks Island, Maine known as tax map and lot 97-G-7-8-13-25 as shown on maps of the Tax Assessor of the City of Portland for fiscal year 2006; such maps on file in the office of the Tax Assessor for the City of Portland.

Meaning and intending to convey easement rights over a parcel of property obtained by these Grantors by deed dated _____, and recorded in the Cumberland County Registry of Deeds in Book 17005 Page 134.

With the right to enter at any and all times with men and machines upon said access road for firefighting purposes; the right, but not the obligation, to maintain and repair the access road; and the right, but not the obligation, to remove snow and ice from the access road.

The Grantors agree and covenant for themselves, their administrators, executors, heirs, successors and assigns not to construct or cause or allow to be constructed or erected any building or structure within the limits of the easement herein conveyed which interferes with the easement rights of the Grantee herein, its successors and assigns.

The Grantee agrees by accepting delivery of this deed to be bound by the covenants and conditions set forth herein to be performed by it.

IN WITNESS WHEREOF, the said Grantors, Jon Boyle and Allyson Burton, joining in this deed as Grantors and relinquishing and conveying all rights by descent and all other rights in above described premises, have set our hands and seals this June 30, 2005.

Signed, Sealed and Delivered in the presence of

Witness

Witness

Jon Boyle

Allyson Burton

State of ~~Maine~~ District
County of Columbia, ss.

June 30, 2005

Then personally appeared the above named Jon Boyle + Allyson Burton and acknowledged the foregoing instrument to be their free act and deed.

My commission expires:

02/28/2010

Notary Public

Deborah F. Fox

Printed Name

Deborah F. Fox
Notary Public - District of Columbia
My Commission Expires Feb. 28, 2010

G:\OFFICE\DONNA\DEED\Fire Pond Easement Deed.doc

Received
Recorded Register of Deeds
Aug 05, 2005 11:09:54A
Cumberland County
John B O'Brien

SEAL

Order 101-14/15
Tab 7 12-1-14

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENNERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

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

ORDERED, that the zoning map and text 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.

**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 _____, 2014~~0~~ by Friends of the St. Lawrence Church, 76 Congress Street, Portland, Maine ("Developer"), and its successors and assigns.

WITNESSETH

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 ~~were~~ 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~~ 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(401~~0~~) 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

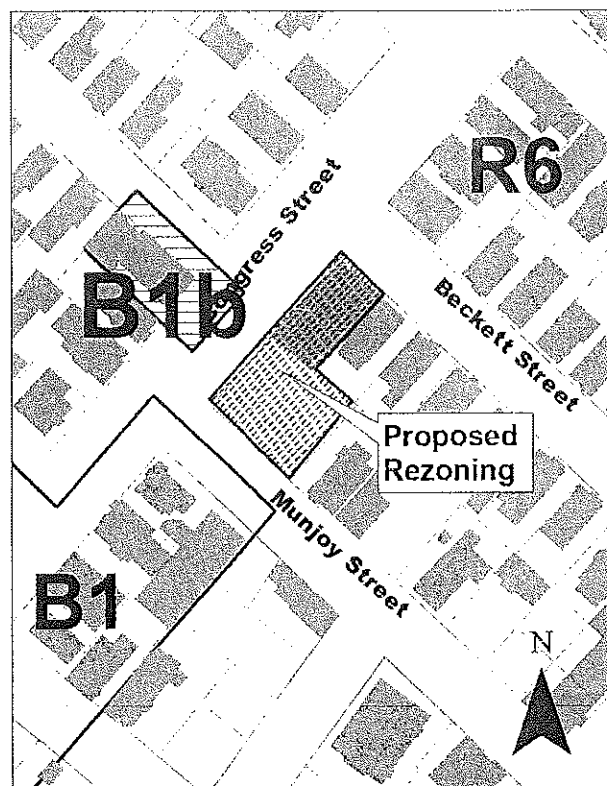
WHEREAS, the Portland City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62, after notice, hearing and due deliberation thereon, has determined that because of the unusual nature and unique location of the proposed development, and its minimal 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: ~~54~~65 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 ~~in the former sanctuary site~~ shall have no more than four hundred and ~~five~~one (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

MEMORANDUM
City Council Agenda Item

TO: City Council

FROM: Alexander Jaegerman, Planning Division Director

DATE: November 19, 2014

DISTRIBUTION: Mayor Michael Brennan; Sheila Hill-Christian, Acting City Manager; Danielle West-Chuhtha, Corporation Counsel; Jennifer Thompson, Associate Corporation Counsel; Sonia Bean; Nancy English; Jeff Levine, Director, Planning and Urban Development

SUBJECT: First Amendment to Conditional Zoning Agreement
St. Lawrence Arts Center, 76 Congress Street

SPONSOR: Stuart O'Brien, Chair, Planning Board

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading December 1, 2014 **Final Action** December 15, 2014

Can action be taken at a later date: Yes X No (If no why not?) Public notices will appear in the newspaper and be mailed in advance of the public hearing.

PRESENTATION: Stuart O'Brien, Planning Board Chair, and Alexander Jaegerman, Planning Division Director, 5 minute oral presentation

I. SUMMARY OF ISSUE (Agenda Description)

On October 28, 2014, the Planning Board voted 6-0 (Dean absent) to recommend amendments to an existing conditional zoning agreement for 76 Congress Street, the St. Lawrence Arts Center, to the city council. The fundamental elements of the original agreement, adopted in November 2010, remain unchanged – as in 2010, the applicant continues to desire to build an addition on the site of the former St. Lawrence Church sanctuary for the purposes of live theater. However, the original agreement requires modification in order to allow the proposed addition in a new, contemporary form. The amendments include changes to the conceptual site plan and architectural drawings to establish a contemporary design scheme for the building addition. The amendments also incorporate changes to the St. Lawrence's transportation demand management plan to include substantial investments in the city's existing public transit infrastructure as a means of addressing the facility's parking demand.

II. REASON FOR SUBMISSION (Summary of Issue/Background)

The original conditional zoning agreement for 76 Congress Street was written to allow the Friends of St. Lawrence to rebuild the sanctuary portion of their historic Munjoy Hill building in much its original late 19th century form as a new venue for live theater. Following adoption of the agreement, the applicant conducted a feasibility study with the intent of determining the possible funding for the reconstruction project. It shortly became clear that the proposed reconstruction of the historic structure would be cost prohibitive. Instead, the Friends of the St. Lawrence shifted their vision for the proposed addition, focusing on what has evolved into a contemporary expansion. The Friends of St. Lawrence also revised the transportation demand management plan to focus on improving transit service and providing incentives for alternative modes as means for addressing parking demand.

III. INTENDED RESULT

The proposed amendments to the conditional zoning agreement are designed to allow the Friends of the St. Lawrence to build a contemporary addition to their existing Parish Hall theater.

IV. COUNCIL GOAL ADDRESSED

The proposed amended conditional zoning agreement addresses the following council goals:

Transportation Initiatives: Develop a transportation system that advances healthy living, minimizes environmental impacts and promotes the local economy by advancing opportunities for mass transit, bicycle use, and walking.

Economic Development: Promote economic development in the City in a manner that provides for increased property values, diversification across industry sectors, and high paying jobs.

V. FINANCIAL IMPACT

As a mid-sized venue designed to fill a gap in the city's existing performing arts landscape, the St. Lawrence Arts Center as proposed under these amendments has the potential to stimulate economic development in Munjoy Hill and more broadly. In addition, the transit investments proposed under the transportation demand management plan could translate into significant improvements in the city's existing transit system, which could generate economic returns.

VI. STAFF ANALYSIS

Through the course of review, the Board engaged in substantial discussion surrounding the amendments, particularly the design drawings and the transportation demand management plan. There was significant public comment on both of these elements of the agreement, with neighbors expressing both support and concerns regarding the parking impacts of the venue. Ultimately, the Board found the proposed amendments consistent with the comprehensive plan, consistent with existing and permitted uses of the underlying zone, and in compliance with the standards of both the state statute and the city's land use ordinance on conditional zoning agreements.

VII. RECOMMENDATION

On October 28, 2014, the Planning Board voted 6-0 (Dean absent) that the proposed amendments to the conditional zoning agreement to permit a community hall at 76 Congress Street are consistent with the Comprehensive Plan of the City of Portland; that the proposed amendments to the conditional zoning agreement are consistent with existing and permitted uses in the surrounding area; and that the proposed amendments to the conditional zoning agreement for 76 Congress Street are in compliance with the standards set out in 14-60 and 14-62. The board voted 6-0 (Dean absent) to recommend the amendments to the conditional zoning agreement for 76 Congress Street to the City Council for its approval.

VIII. ATTACHMENTS

1. Order
2. Planning Board Report to City Council (to be forwarded under separate cover)

Prepared by:

Signature

November 19, 2014

Date



CITY COUNCIL REPORT

from

PLANNING BOARD

PORTLAND, MAINE

First Amendment to Conditional Zoning Agreement
St. Lawrence Arts Center, Applicant

Submitted to: Portland City Council
First Reading: December 1, 2014
Second Reading: December 15, 2014

Prepared by: Portland Planning Board
Date: November 19, 2014
Project #: 2014-009

I. INTRODUCTION

On October 28, 2014, the Planning Board voted 6-0 (Dean absent) to recommend amendments to an existing conditional zoning agreement for the property at 76 Congress Street, the St. Lawrence Arts Center, to the city council. The board reviewed these amendments, as well as materials incorporated into the agreement by reference, including a draft Transportation Demand Management (TDM) plan, a draft site plan, and draft architectural drawings, at three separate meetings over the course of 2014.

Legal notice for the December 15 city council hearing will be posted in the *Portland Press Herald* on December 8 and 9, 2014. Notices will be sent to 258 property owners within 500 feet and to the interested citizens list. 36 immediate abutters will also receive a copy of the amended agreement, and a notice will be posted with the City Clerk.

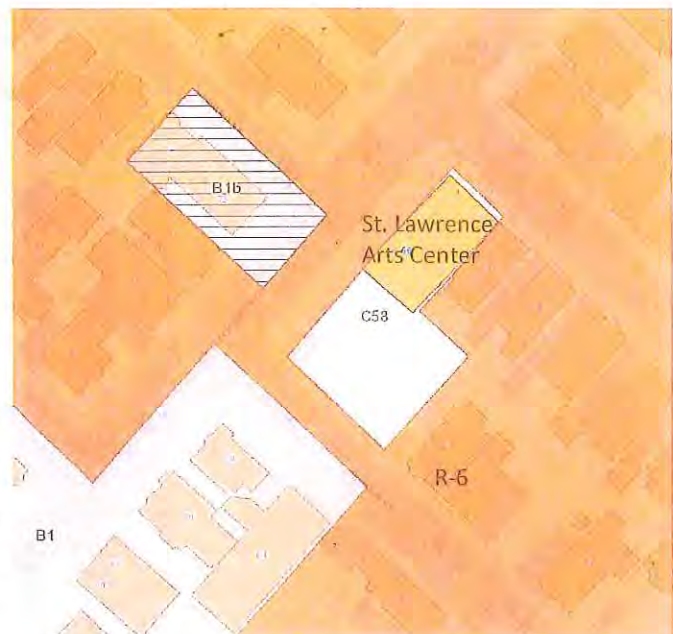


Figure 1: St. Lawrence Arts Center, zoning context

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 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.

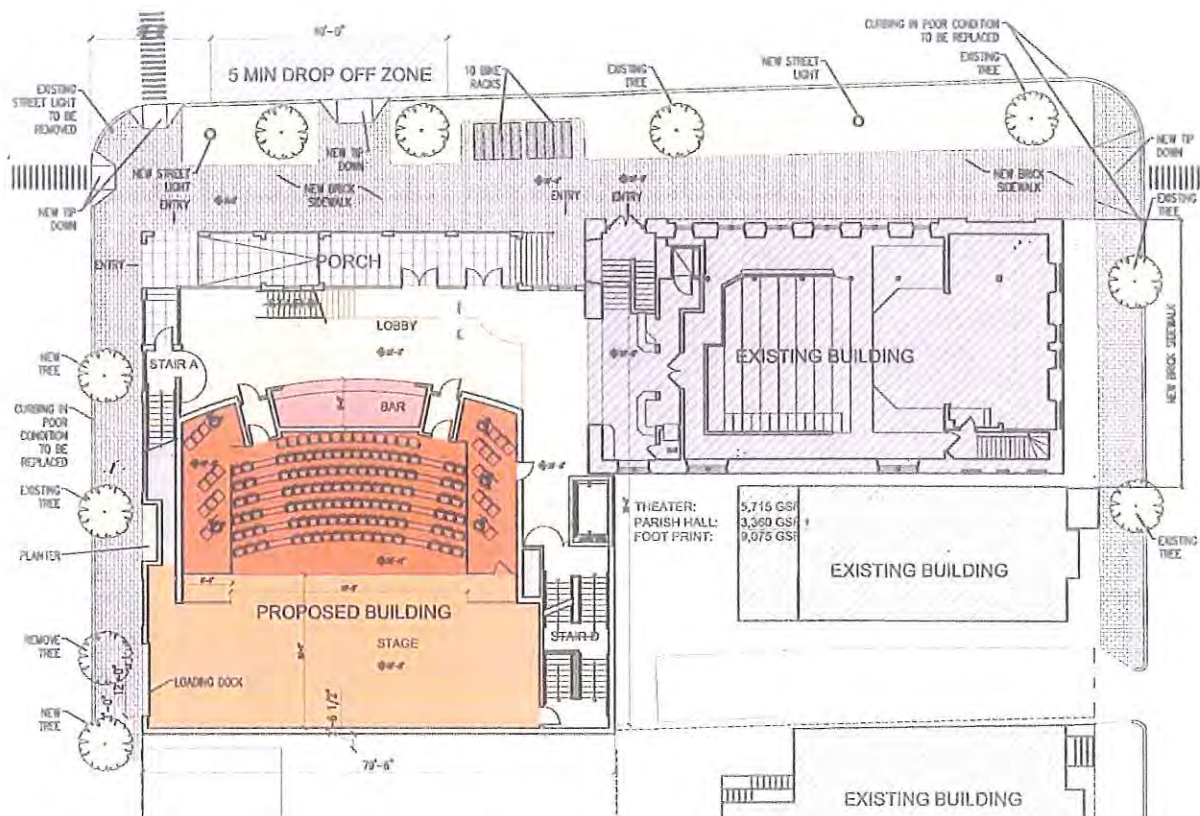


Table 1: Development Program, St. Lawrence Arts Center, Past, Existing, and Proposed

	<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.

It should be noted that 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

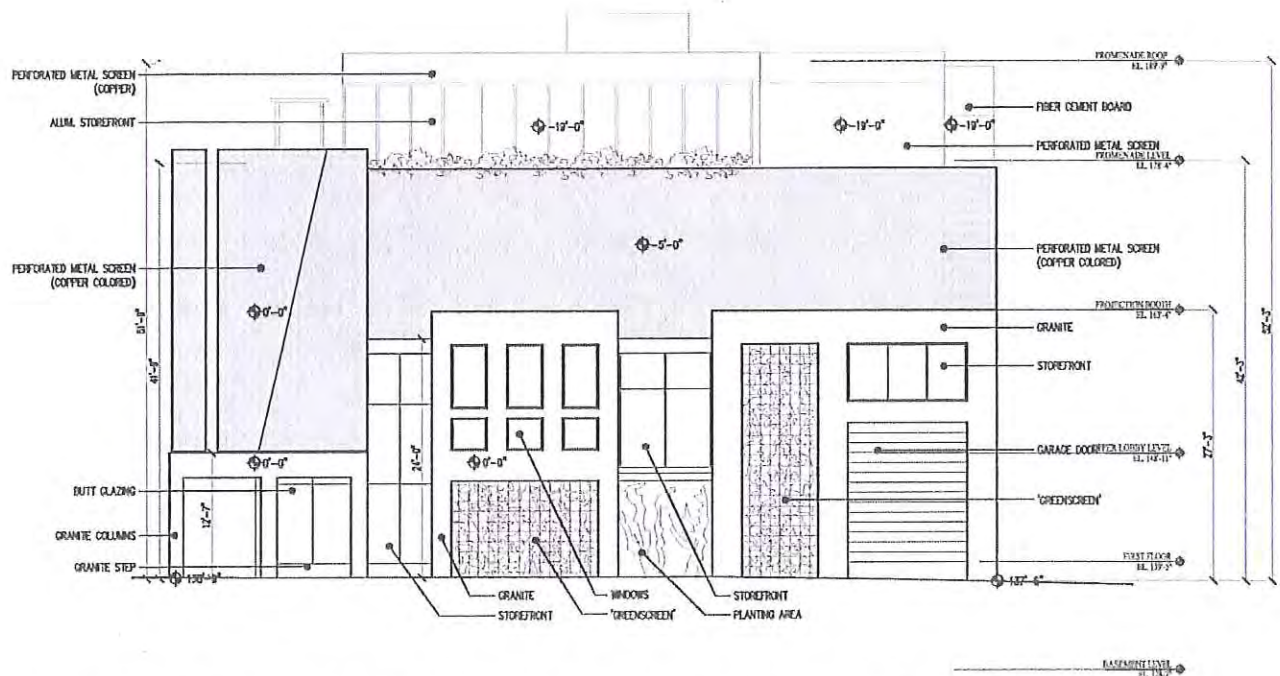
The conditional zoning agreement also incorporates a set of elevations and floor plans by reference. As noted previously, the major change in design from the original conditional zoning agreement is related to the style of the addition’s exterior, which the Friends of St. Lawrence has modified to reflect 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.



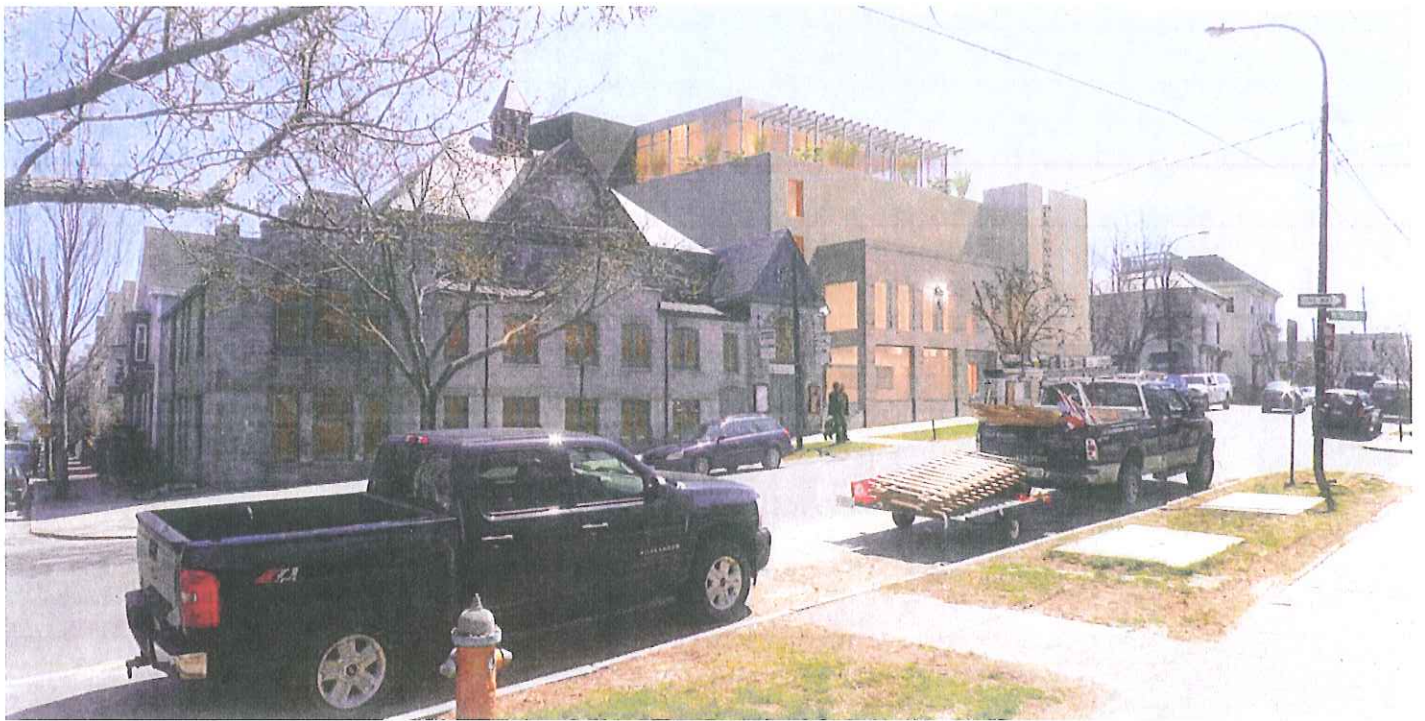
*Figures 4 and 5:
Elevation showing
the current plan
transposed against
the 2010
reconstruction
plans (top) and
rendering from
Beckett Street
(bottom)*

Regarding the height and scale of the proposed building, the underlying R-6 zone permits a height of 45' by right. 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. The Historic Preservation Board met for the fourth time on the proposal in early November. Generally, Deb Andrews, the city's Historic Preservation Manager, has indicated the Board's comfort with the design's evolving direction.



Figures 6 and 7: Proposed elevations from Congress Street (top) and Munjoy Street (bottom)



Figures 8 and 9: Renderings from Congress Street (top) and Munjoy Street (bottom)

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, given the design concerns expressed by the public, the fact that the conditional zoning agreement speaks to matters of form, and the fact that the agreement will ultimately include drawings by reference, staff agreed to the utility of a design review. With respect to the drawings depicted in Figures 6-8 then, the city's urban designer, Caitlin Cameron, provided the following 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 stepback. 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.*

In response, the applicant provided a set of revised elevations and renderings immediately prior to the Planning Board hearing. In these drawings, the architect attempted to address the comments of the design review by creating additional folds in the perforated copper “metal skin” which clads the upper floors of the building, and adding a horizontal break in the metal cladding at the top of the Congress and Munjoy Street facades. A subsequent design review found this iteration largely unsuccessful in meeting the objectives of the urban designer’s critique, and as a result, the board resolved to include the prior iteration of drawings, those shown here, in the conditional zoning agreement. It should be noted that the design will continue to evolve over the course of site plan and Historic Preservation Board review.

3. Transportation Demand Management Plan

The proposed amended conditional zoning agreement also incorporates a transportation demand management plan by reference (*Attachment G*). The draft plan, first developed in January and subsequently repeatedly revised, was reviewed on three occasions by a peer reviewer specializing in TDM plans, Nelson-Nygaard Consulting Associates (*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 final 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 includes 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 TDM plan calculates a total parking supply in the immediate vicinity, then, of 274 spaces, exceeding the peak demand. It should be noted 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.

Transportation Demand Management Strategies

In response to questions regarding 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 the city's Sustainable Transportation Fund, which would initially be designated to METRO for 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 H*). 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." 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 final 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.

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 modified the TDM plan over the course of the review to increase the rate of initial monitoring and reporting. The SLAC proposes monitoring to begin one month after opening, with 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 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.

Over the course of the Planning Board review, there was substantial discussion on the city’s existing TDM monitoring system. Historically, the city’s Department of Public Services has generally been responsible for reviewing annual TDM monitoring reports, with reports occasionally returning to the Planning Board (or even the council’s Transportation Committee) in specific circumstances. Given efforts on the part of the city to consolidate transportation planning functions under the Planning 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, the Planning Board 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.

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 J*).

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 did evolve over the course of the review in response to comments from both the board and the public. A final 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 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, city staff and the Planning Board 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 part of their TDM plan. These plans have changed, and as such, so has the proposed language of the agreement. Language has been added that requires 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: Language was also added 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, the agreement states that the Planning Authority will review and approve future changes to the TDM plan.

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

The TDM provisions of the agreement closely link 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 "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

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).

- 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 sidewalks 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.

Under the provisions of the land use ordinance, the Sustainable Transportation Fund provides a vehicle for collecting and allocating funding for the general purpose of enhancing mode choice. The conditional zoning agreement establishes the more 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."

The city council, through the provisions of the Sustainable Transportation Fund, would ultimately be responsible for the allocation of funding generated through the agreement, though, as noted above, the use of the funds would be fundamentally tied to the conditional zoning agreement. Further, the Planning Board or Authority would be 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.

Over the course of the review, 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."

- *Breach Provisions:* Over the course of the review, 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, Jennifer Thompson, Associate Corporation Counsel, reviewed the breach provisions of the conditional zoning agreement and made several modifications to ensure that the language is clear in this regard. 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 to city council 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, to the council.

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.

The Planning Board reviewed the applicant's submittal and Planning staff's analysis and found that the proposed amended agreement is in conformance with the state growth management program.

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 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.

The Planning Board reviewed the applicant's submittal and staff's assessment and found the amended conditional zoning agreement to establish an area that is consistent with the underlying uses of the R-6 zone.

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*).

The board ultimately concurred with this assessment, noting the St. Lawrence's unique location on the historic site of a former church and the opportunity to nurture the adaptive reuse of the existing Parish Hall building. Further, the board noted the distinctive community and neighborhood benefits of the development project proposed, citing positive economic development, arts and cultural, and transportation impacts for both Munjoy Hill and beyond.

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).

The Planning Board reviewed the applicant's comprehensive plan analysis and found the amended conditional zoning agreement consistent with the comprehensive plan.

IX. PUBLIC COMMENT

The Planning Board 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 1-51*). In general, the concerns regarding the proposed amendments and the development represented therein include:

- *Scale and Massing*: Members of the public raised concerns regarding the dimensional standards represented in the contract zone language, questioning the height and massing of the building in particular. Residents stated that they consider the building out of scale with its surroundings and expressed concerns about shadow impacts. Some residents 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 also raised concerns regarding the content of the conditional zoning agreement as it relates to capacity figures. Neighbors questioned the clarity of the agreement language with respect to the occupancy limit, and further questioned the ability of the city to enforce such a limit. Related to this concern, some residents also expressed a desire to “scale down” the proposed development to simply reflect a venue of smaller size.
- *Parking Supply*: The Planning Board also fielded numerous concerns regarding the adequacy of the on-street parking supply. At a fundamental level, some residents raised questions about the parking study methodology, calling into question the validity of the parking counts. Neighbors repeatedly stated that insufficient on-street parking supply currently exists and questioned the capacity of the on-street network to absorb more vehicles, particularly during winter conditions. Related to these concerns, neighbors expressed fears regarding traffic safety and congestion resulting from visitors searching for on-street parking. Residents 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 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 were a variety of comments on the TDM plan itself, arguing that it is unlikely to be effective. At a fundamental level, neighbors voiced doubts that the proposed strategies will ultimately promote significant changes in travel behavior. Residents questioned the efficacy of the METRO in serving St. Lawrence patrons, even at improved headways. Neighbors 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 were expressed as well.

It should also be noted that there was significant support expressed through public comment over the course of the review. Residents 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. BOARD DELIBERATION AND RECOMMENDATION

The Planning Board considered the proposed amendments to the existing conditional zoning agreement at two workshops and one hearing held over the course of a 10-month period. The review included substantial discussion on the scale and design of the proposed building addition, as depicted in the plans to be attached to the agreement. The review also included considerable analysis on the TDM plan. Ultimately, the Planning Board found that the agreement, as amended, met state and city standards for conditional zoning agreements and voted 6-0 (Dean absent) as follows:

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 consistent with the Comprehensive Plan of the City of Portland;*

- B. That the proposed amendments to the conditional zoning agreement are 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 in compliance with the standards set out in 14-60 and 14-62; and*
- D. That the Planning Board therefore recommends 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 Ovarions, 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
PC-43. Letter from Chris White, 10/26/14
PC-44. Letter from Kate Murray, 10/26/14
PC-45. Letter from Ross Fields, 10/27/14
PC-46. Letter from Robert Clarke, 10/28/14
PC-47. Letter from Annette Elowitch, 10/28/14
PC-48. Letter from John Rogers, 10/28/14
PC-49. Letter from Ross Fields, 10/28/14
PC-50. Letter from Ross Fields, 10/28/14
PC-51. Letter from Ross Fields, 10/30/14

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
Plan 8 West Elevation
Plan 9 South Elevation
Plan 10 East Elevation
Plan 11 Building Section
Plan 12 Northeast Rendering
Plan 13 Looking East up Congress Street
Plan 14 Looking West up Congress Street
Plan 15 Munjoy Street View
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 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 _____, 20140 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 wereas 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 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

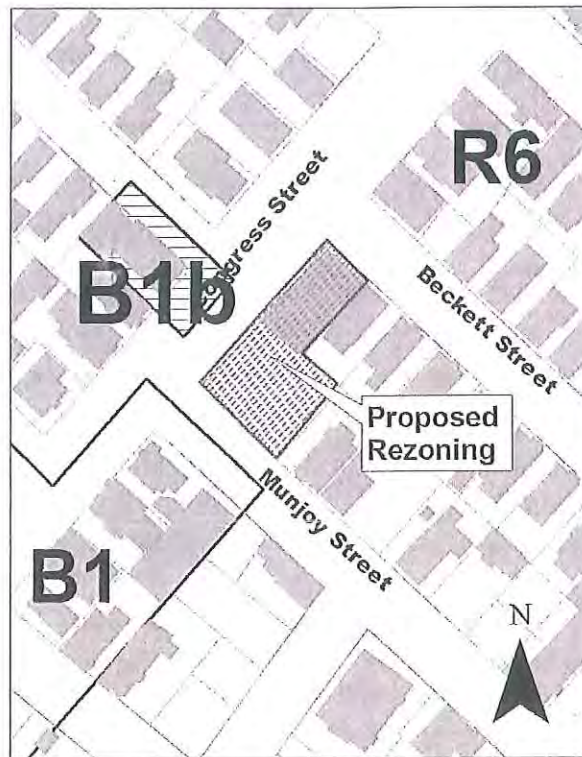
WHEREAS, the Portland City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62, after notice, hearing and due deliberation thereon, has determined that because of the unusual nature and unique location of the proposed development, and its minimal 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 the former~~ site shall have no more than four hundred and ~~fiveone~~ (401~~5~~) 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 I - 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 stepback. 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
 389 Congress Street, 4th Floor Portland, ME 04101
 (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 Rezoning

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-Chukha
Civil Engineer	David Senus	Sanitary Sewer	John Emerson
Fire Department	Chris Pirone	Inspections	Tammy Munson
City Arborist	Jeff Farling	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:	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. See 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.

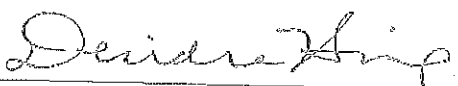
The proposed use of the property is an addition to the existing community hall located in the Parish Hall. The proposed new structure, to be built upon the vacant portion of the site, is to contain a 401 seat performance hall, a Promenade Room/additional lobby, and related facilities, as detailed in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

OK13333P6009

056583

WARRANTY DEED

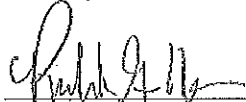
Know all Ye by these Presents,

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:

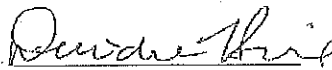
A certain lot or parcel of land with the buildings thereon, situated in said
Portland, and being more particularly described on Exhibit A attached
hereto and made a part hereof.

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 REAL ESTATE TAX PAID

BOOK 3333 PAGE 10

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.

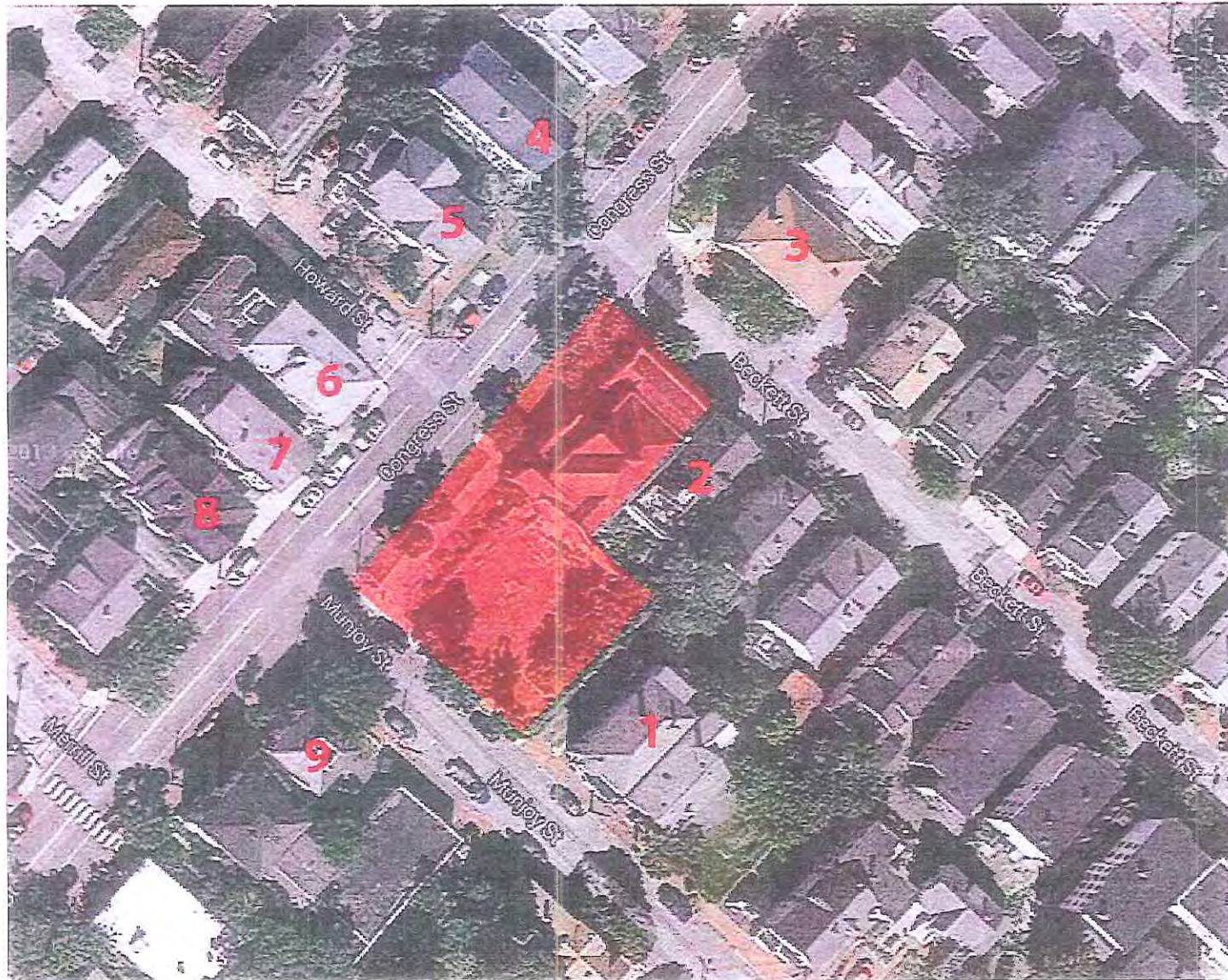
THIS CONVEYANCE IS MADE SUBJECT to an outstanding mortgage from the Grantor and Grantee herein to Fleet Bank of Maine, which mortgage the Grantee, as part of the consideration for this transaction, assumes and agrees to pay.

RECEIVED
RECORDED REGISTRY OF DEEDS

1987 SEP 19 PM 4: 16

CUMBERLAND COUNTY

John B. O'Brien



1 - Property Location - 97 Munjoy St
Owner Information - Mchugh Mary B & Theodore E Jts
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 - Plmj 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 - Breggia 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.

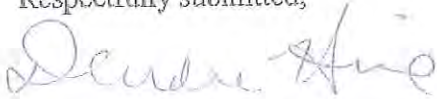
As discussed above, the sanctuary portion of the former church had been allowed to deteriorate too far beyond the point where it could be saved before the building came into the hands of FSLC. However, we have been able to stabilize and repurpose the Parish Hall for now. The maintenance of historic structures 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,

A handwritten signature in blue ink, appearing to read "Deirdre Nice", is written over a horizontal line.

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

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

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)

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.

WITNESSETH

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

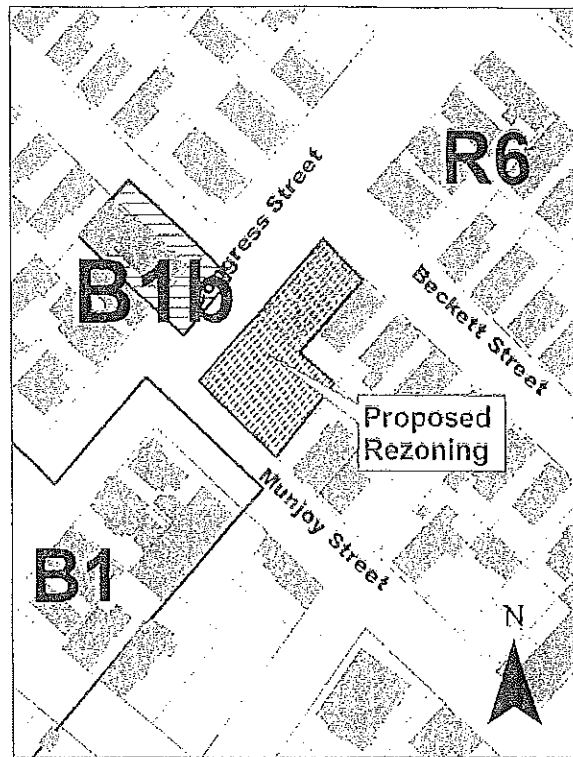
WHEREAS, the Portland City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62, after notice, hearing and due deliberation thereon, has determined that because of the unusual nature and unique location of the proposed development, and its minimal 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 subparagraph 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

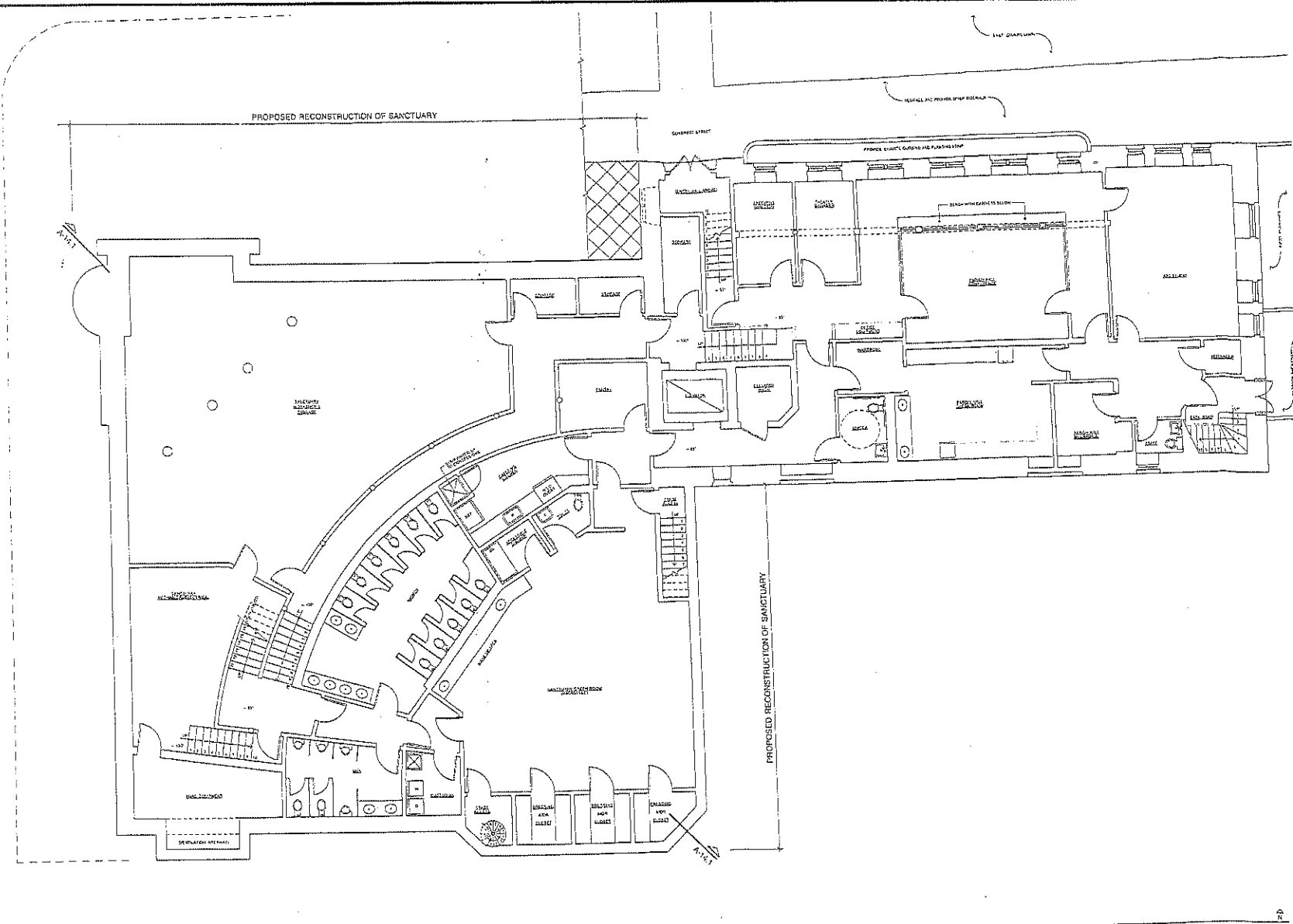


St. Lawrence Arts Center
Munjoy Hill Parking Utilization Survey
Friday, July 9, 2010

Legend	
X	No. of Parked Cars
Y	Parking Amount

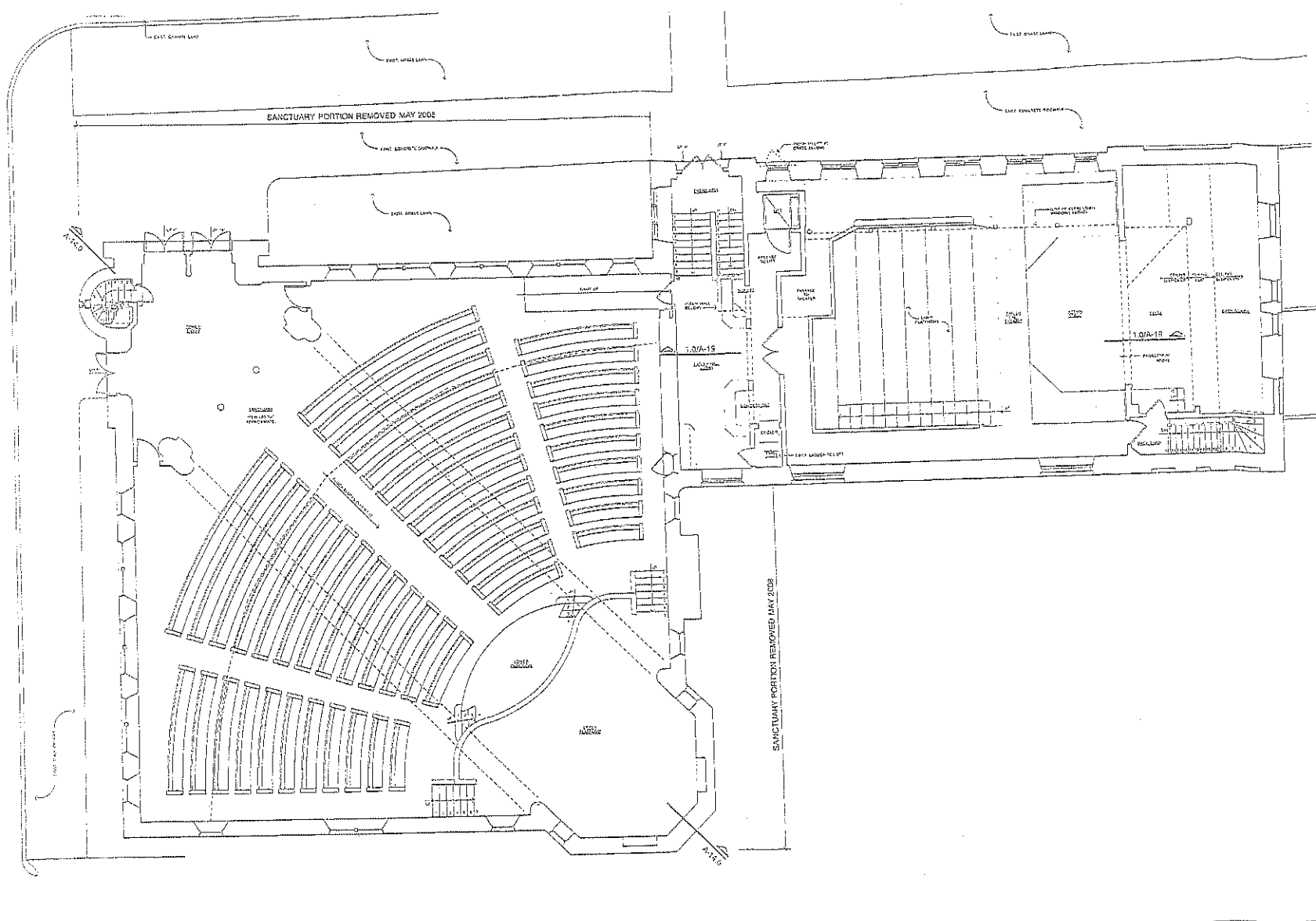
Notes:

- 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.



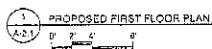
PROPOSED BASEMENT PLAN
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MILL'S SHUTPOKER ARCHITECTS LLC 200 WEST WASHINGTON STREET SUITE 200 PORTLAND, ME 04101-2000	
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PROJECT NAME ADAPTIVE REUSE	DATE 13 JULY 2003
PRELIMINARY DESIGN NOT FOR CONSTRUCTION	
DATE A-1.1	
PROPOSED BASEMENT PLAN	



1 EXISTING FIRST FLOOR PLAN
A-2.0

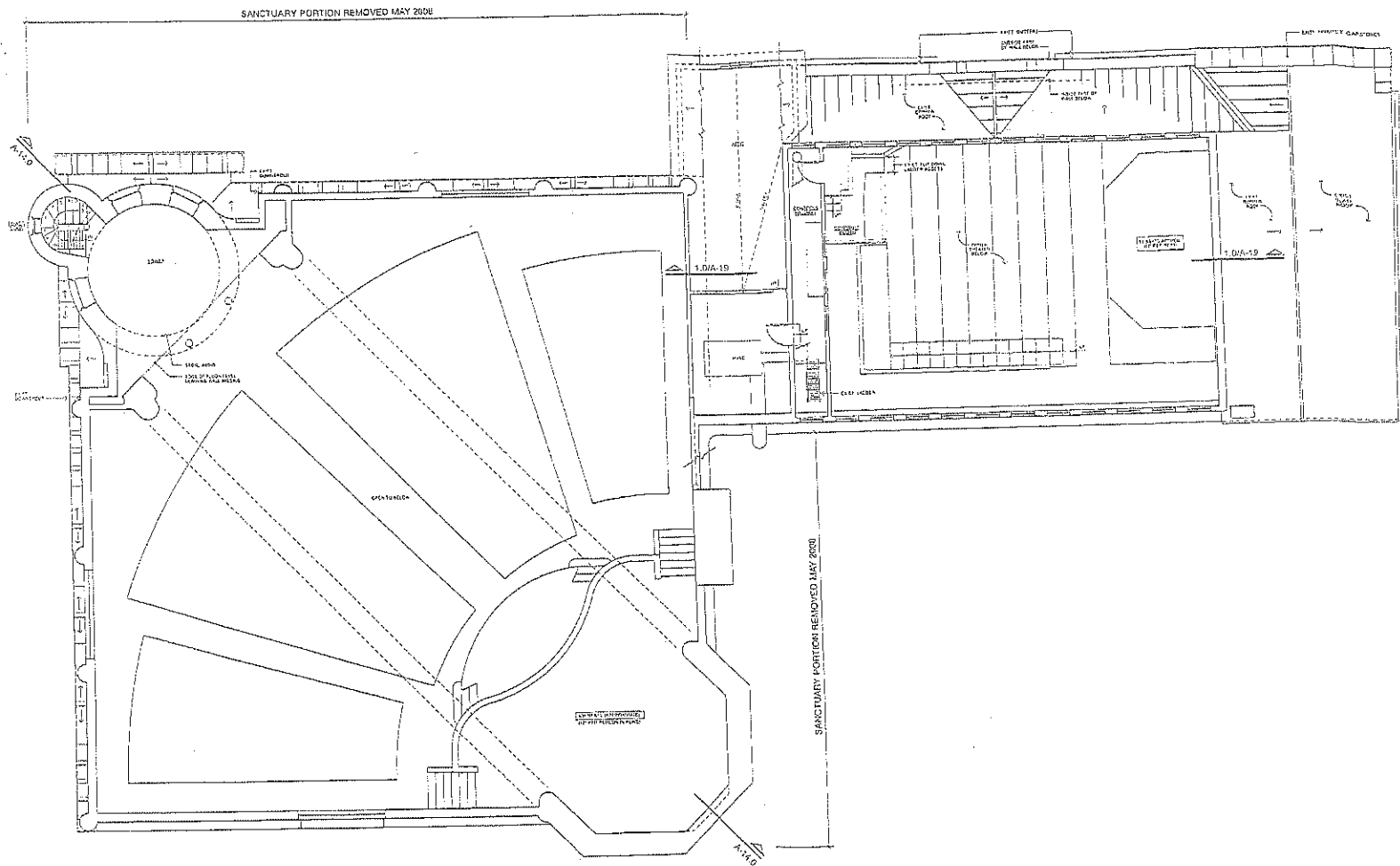
HILLS WHITTAKER ARCHITECTS LLC 1000 BROAD STREET PORTLAND, ME 04101 TEL: 603.771.1111 FAX: 603.771.1112 WWW.HILLSWHITTAKERARCHITECTS.COM	
ADAPTIVE REUSE of the ST. LAWRENCE ARTS CENTER 76 CONGRESS STREET PORTLAND, MAINE EXISTING FIRST FLOOR PLAN	
PROJECT NO. 1000 BROAD STREET PORTLAND, ME 04101 TEL: 603.771.1111 FAX: 603.771.1112 WWW.HILLSWHITTAKERARCHITECTS.COM	DATE 10 JULY 2007
PRELIMINARY DESIGN NOT FOR CONSTRUCTION	
SHEET A-2.0	



A-2.1

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1



1 EXISTING SECOND FLOOR PLAN
A-30

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
EXISTING SECOND FLOOR PLAN

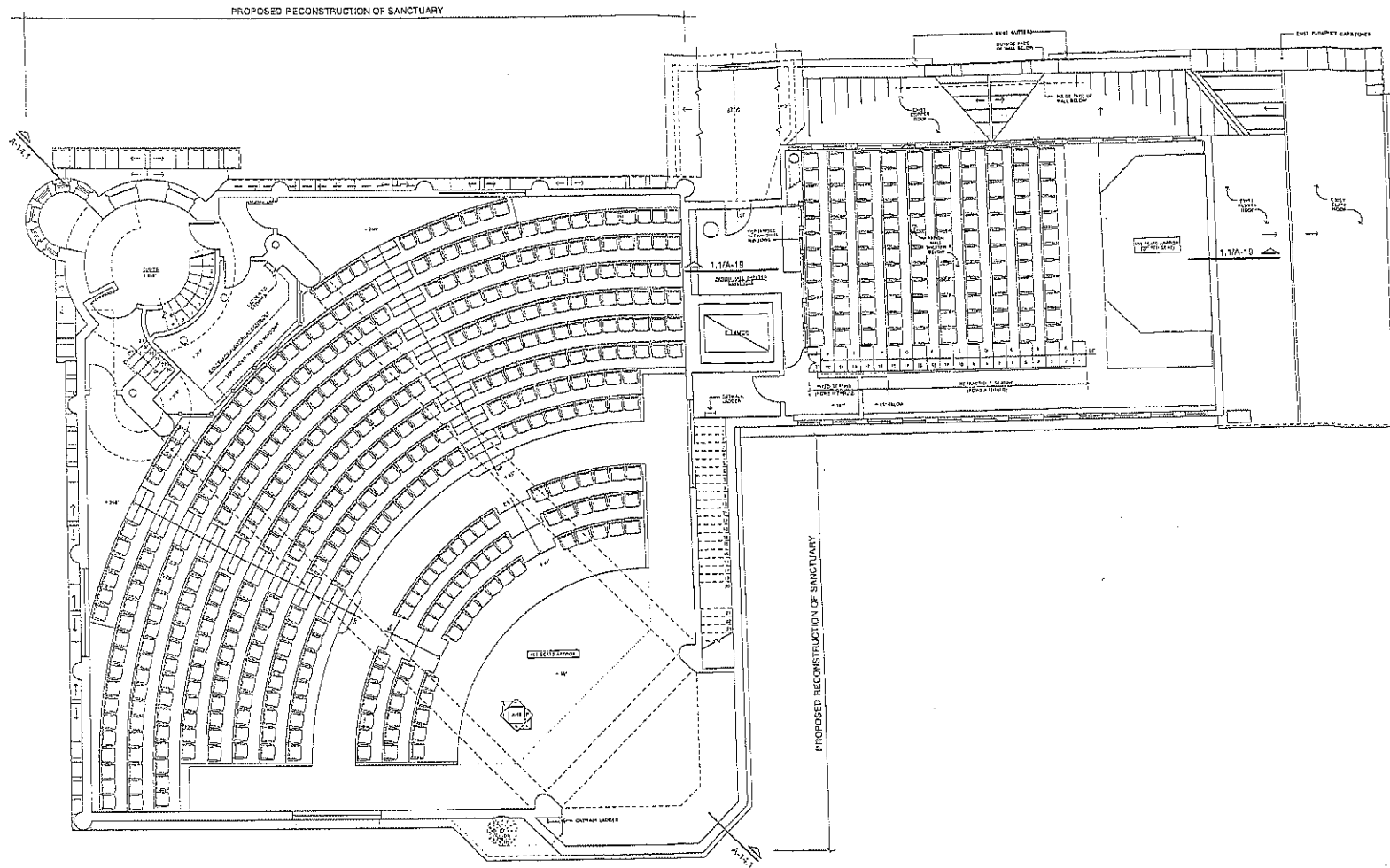
PROJECT
ARCHITECT

DWG. 12-001-000

FOLLOWING IS NOT FOR CONSTRUCTION

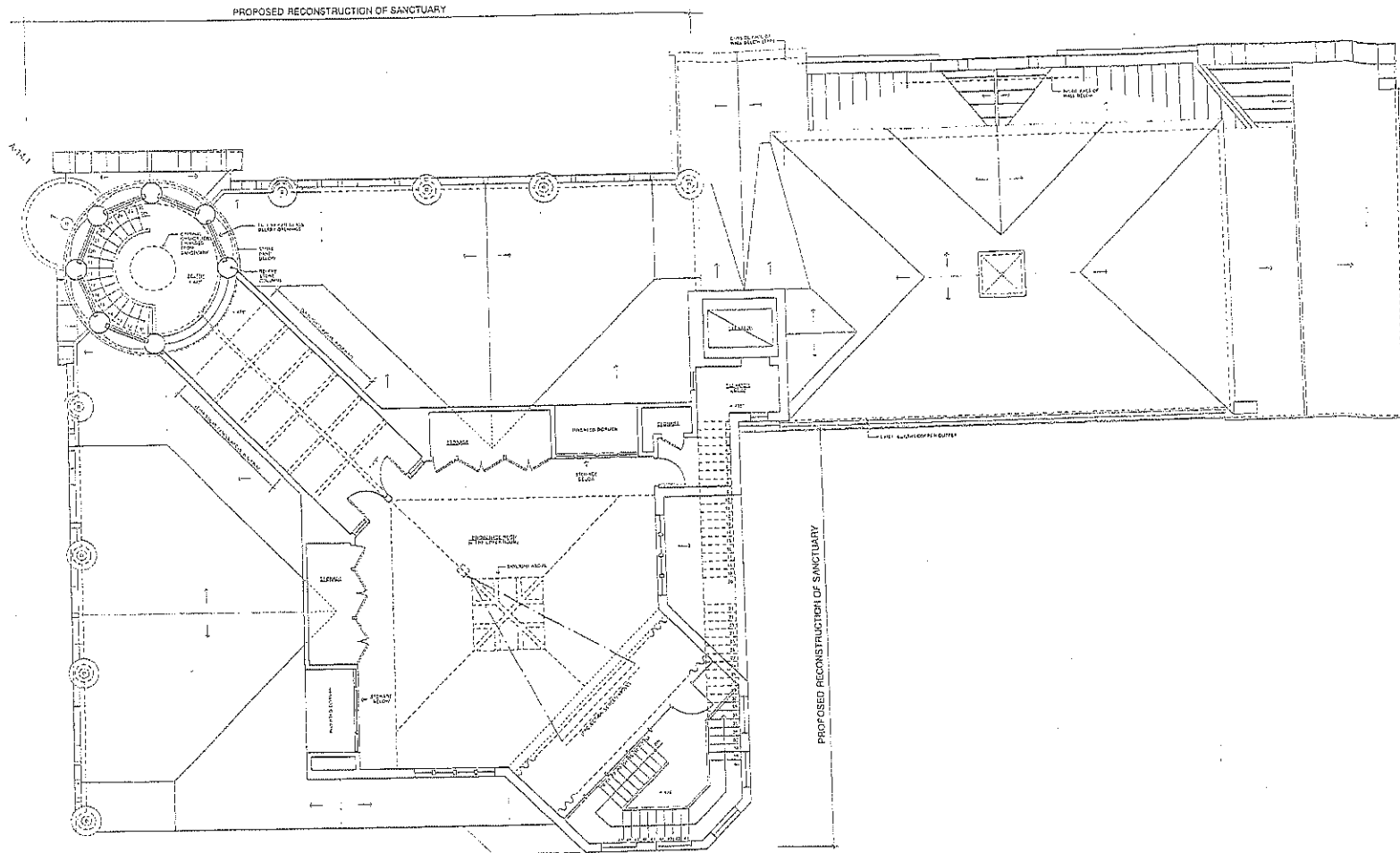
A-30

MILLER
WHITAKER
ARCHITECTS
LLC
200 E. 10TH AVE
PORTLAND, ME 04101
TEL: 503.251.1111
WWW.MWARCHITECTS.COM



1 PROPOSED SECOND FLOOR PLAN
A-3.1
0' 2' 4' 8'

MILLS WHITAKER ARCHITECTS LLC 200 BOXWOOD AVENUE PORTLAND, ME 04106 TEL: 603.761.1234	
ADAPTIVE REUSE of the ST. LAWRENCE ARTS CENTER 76 CONGRESS STREET PORTLAND MAINE	
PROPOSED SECOND FLOOR PLAN	
DESIGNED BY MILLS WHITAKER ARCHITECTS LLC	DATE: 10 JULY 2009
PRELIMINARY DESIGN NOT FOR CONSTRUCTION	
Sheet A-3.1	



PROPOSED THIRD FLOOR PLAN
A-4.1

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
PROPOSED THIRD FLOOR PLAN

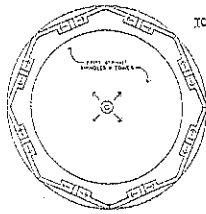
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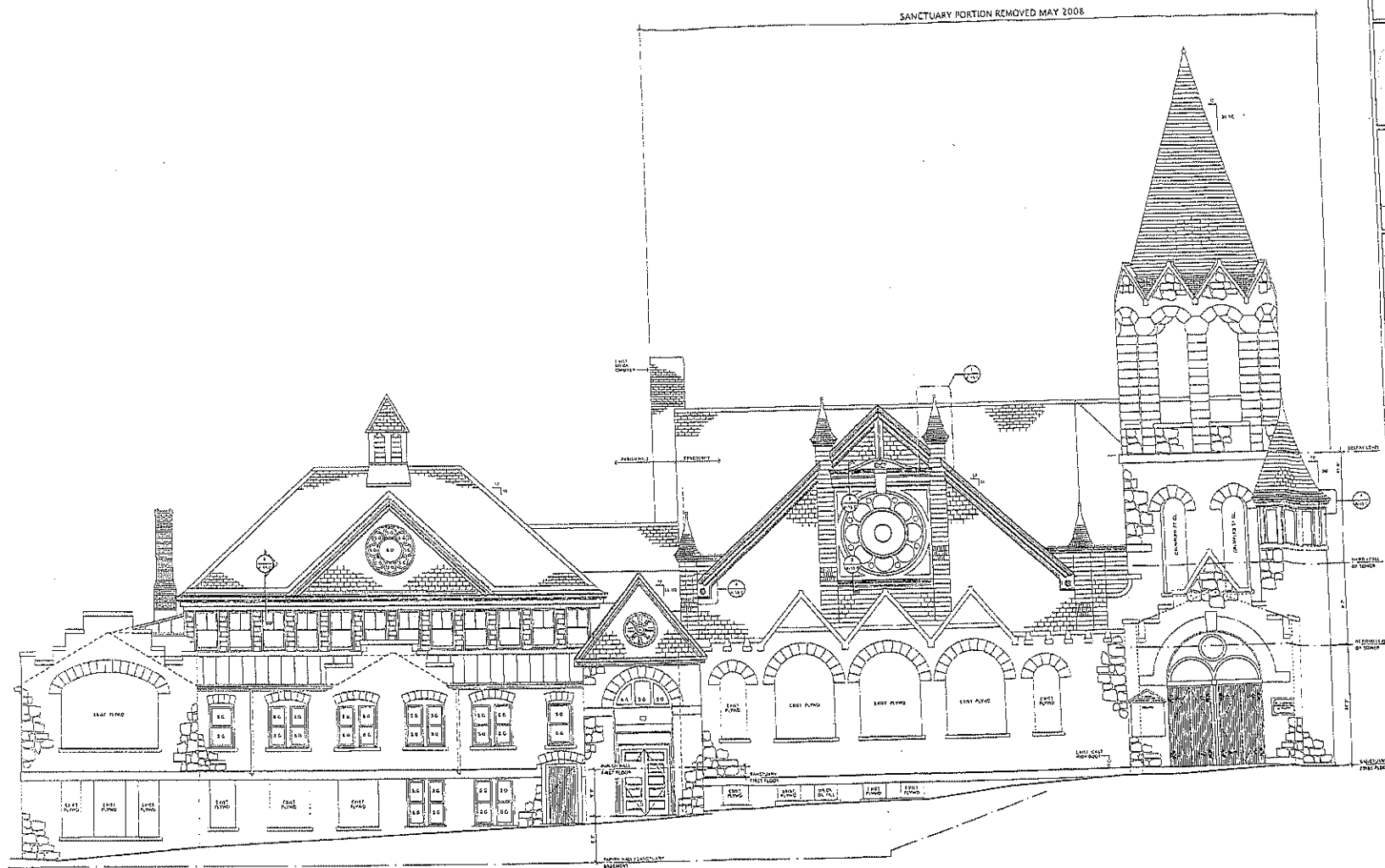
DATE 12 JULY 2012

THIS DRAWING IS FOR INFORMATION ONLY
NOT FOR CONSTRUCTION

SHEET
A-4.1

MILLER
WATKINS
ARCHITECTS
LLC
200 NORTH
BROAD STREET
PORTLAND, ME 04101
TEL: 603.771.1111
WWW.MWARCHITECTS.COM





1 EXISTING NORTH EXTERIOR ELEVATION - CONGRESS STREET
A-10.0

MILLS
WHITAKER
ARCHITECTS
LLC
100 NORTH STREET
PORTLAND, ME 04101
P: 407-400-1411
M: 407-400-1412

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

EXISTING NORTH ELEVATION - CONGRESS STREET

PROJECT NAME

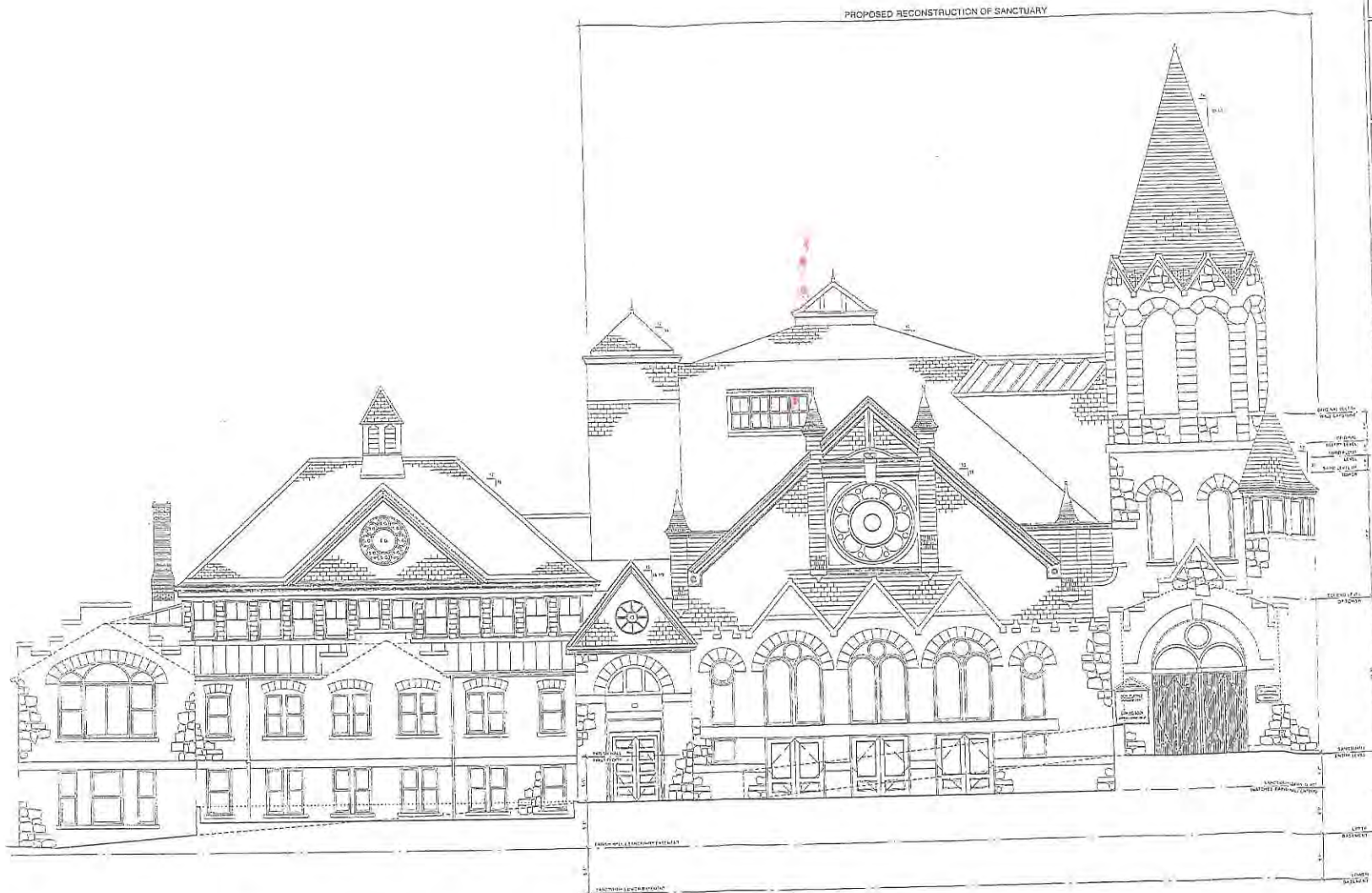
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DATE 12 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #

A-10.0



PROPOSED NORTH EXTERIOR ELEVATION - CONGRESS STREET

MILLS WHITAKER ARCHITECTS LLC 701 1/2 STREET ALBANY, NEW YORK 518 263-1111	
ADAPTIVE REUSE of the ST. LAWRENCE ARTS CENTER 76 CONGRESS STREET PORTLAND MAINE	
PROJECT NAME PROJECT NUMBER	PROPOSED NORTH ELEVATION - CONGRESS STREET
DATE 12 JULY 2020	PREPARED BY NOT FOR CONSTRUCTION
A-10.1	



NEER
UNIVERSITY
ARCHITECTS
LLC
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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

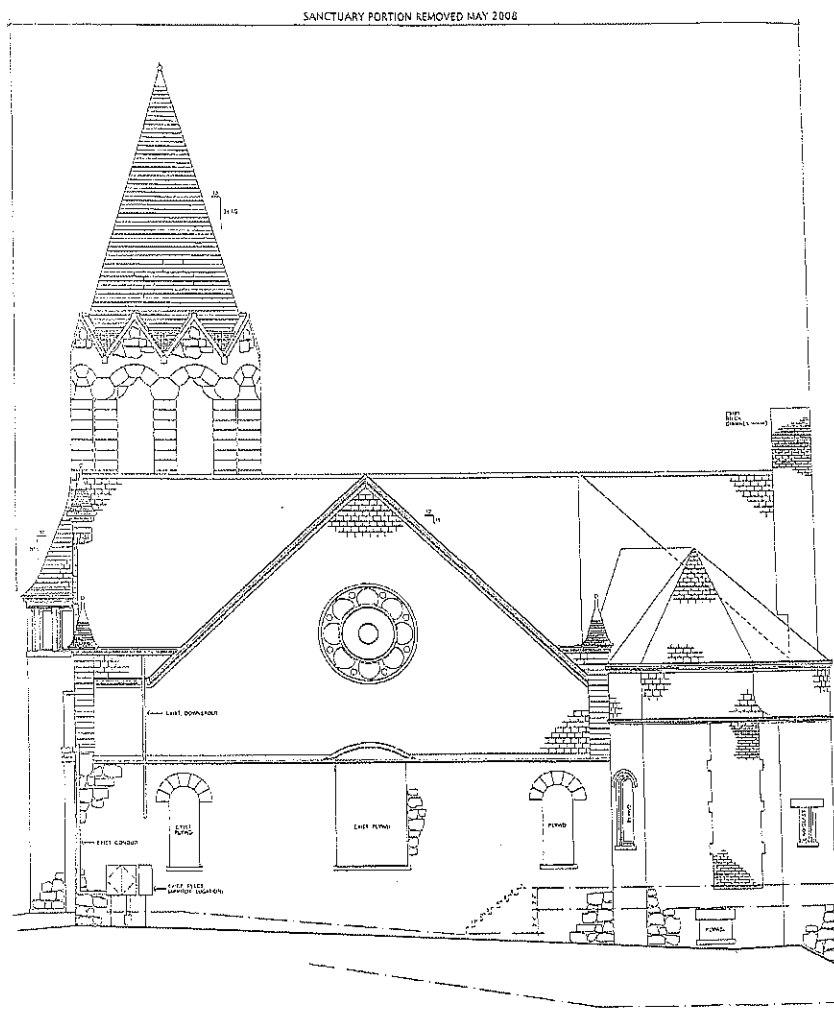
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DATE 13 JULY 2024

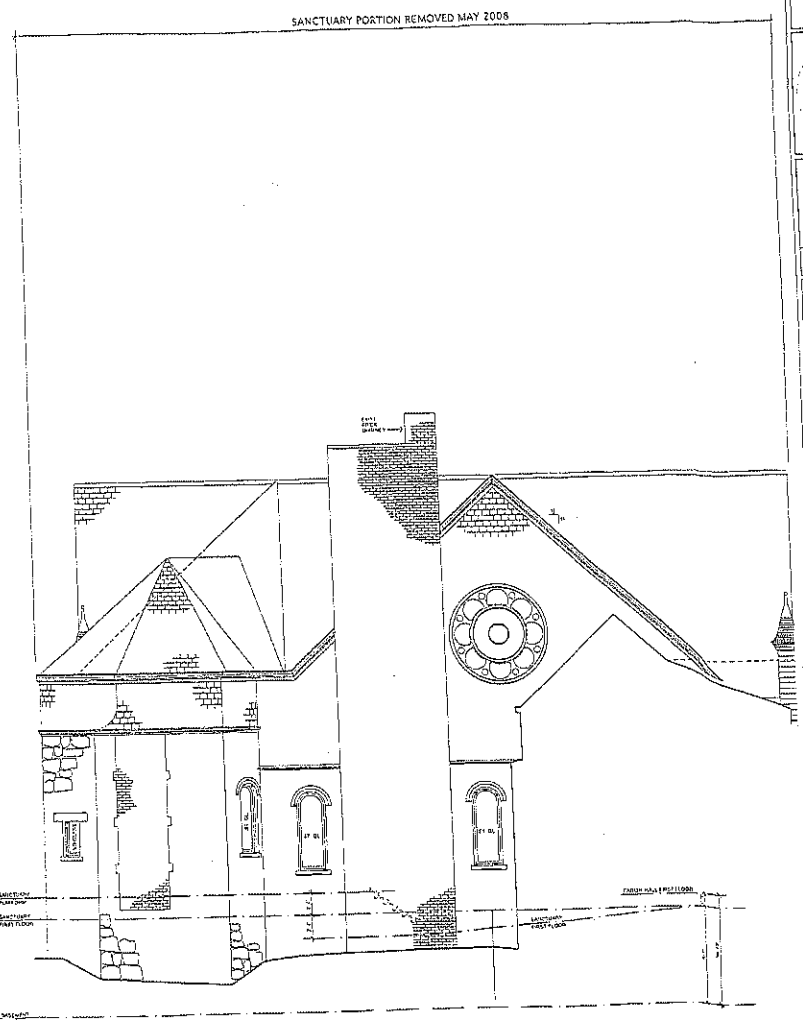
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SHEET 1

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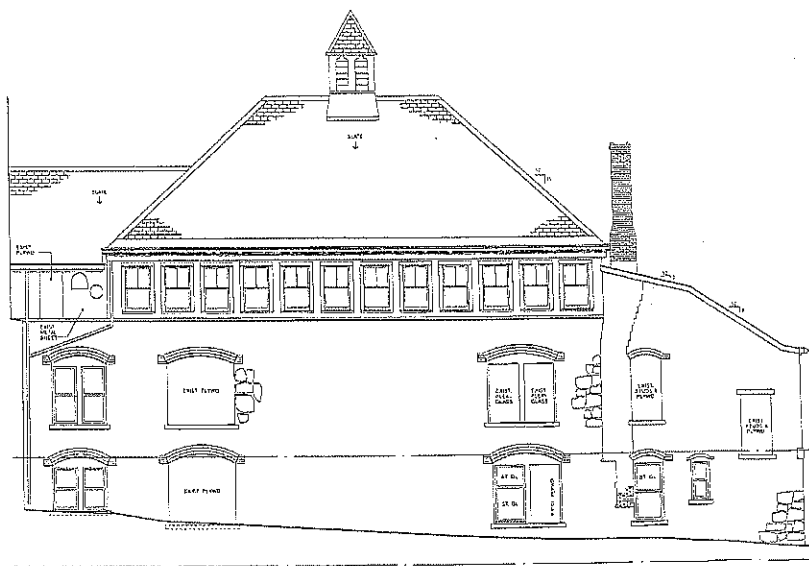


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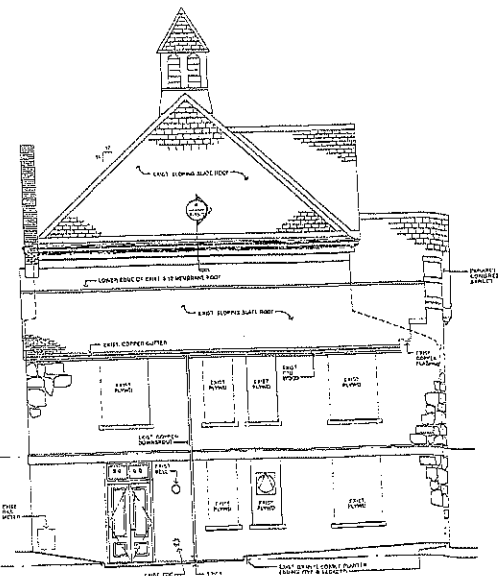


2 EXISTING EAST EXTERIOR ELEVATION - SANCTUARY
A-12.0

MILLS WHITAKER ARCHITECTS LLC 100 WEST MAIN PORTLAND, ME 04101 TEL: 603.761.1111 WWW.MILLSWHITAKER.COM	
ADAPTIVE REUSE of the ST. LAWRENCE ARTS CENTER 76 CONGRESS STREET PORTLAND MAINE	
PROJECT NAME PROJECT PHASES	EXISTING SOUTH & EAST ELEVATION - SANCTUARY
DATE 13 JULY 2023	
DESIGNED BY NOT FOR CONSTRUCTION	
SCALE A-12.0	



1 EXISTING SOUTH EXTERIOR ELEVATION - PARISH HALL
A-13.0



2 EXISTING EAST EXTERIOR ELEVATION - BECKETT STREET
A-13.0

MILLS
WHITAKER
ARCHITECTS
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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
EXISTING SOUTH & EAST ELEVATION - PARISH HALL

PROJECT NAME
PROJECT ADDRESS

DATE 12 JULY 2015

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET

A-13.0



1 PROPOSED SOUTH EXTERIOR ELEVATION - PARISH HALL
A-13.1



2 PROPOSED EAST EXTERIOR ELEVATION - BECKETT STREET
A-13.2

WELLS VONNAPPE ARCHITECTS LLC 10 MILLBURY PORTLAND, MAINE 04106 TEL: 617.251.1111 WWW.WVARCHITECTS.COM	
PROJECT NAME ADAPTIVE REUSE of the ST. LAWRENCE ARTS CENTER 76 CONGRESS STREET PORTLAND, MAINE	
PROJECT TYPE PROPOSED SOUTH & EAST ELEVATION - PARISH HALL	
DATE 12 JULY 2023	
PREPARED BY ARCHITECTURAL DESIGN A-13.1	



1
FORMER CROSS SECTION OF SANCTUARY
Scale: 3/16" = 1'-0"

MILLS
WHITMER
ARCHITECTS
LLC
25 EAST MAIN
PORTLAND, ME 04101
(207) 850-1100

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
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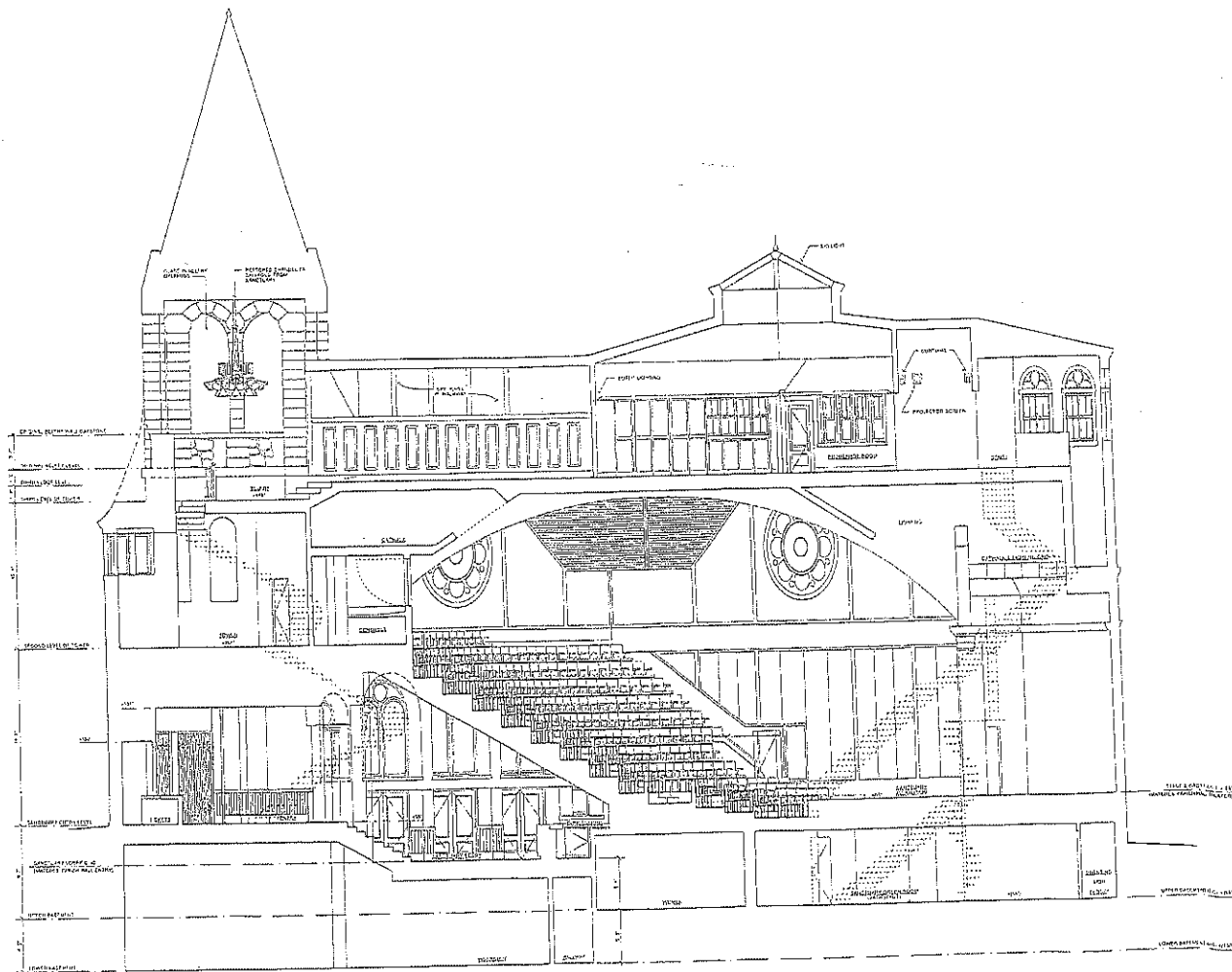
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PROJECT NUMBER

DATE 10 JULY 2008

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

DATE

A-14.0



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WELLS
WATKINS
ARCHITECTS
LLC
100 WEST STREET
PORTLAND, MAINE 04101
TEL: 555-1234
FAX: 555-5678

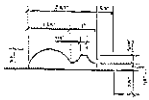
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ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND, MAINE

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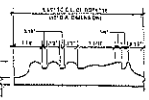
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PROJECT NUMBER
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DATE
10/10/01

DATE
10/10/01
DRAWN BY
J. WATKINS

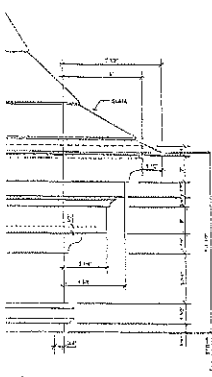
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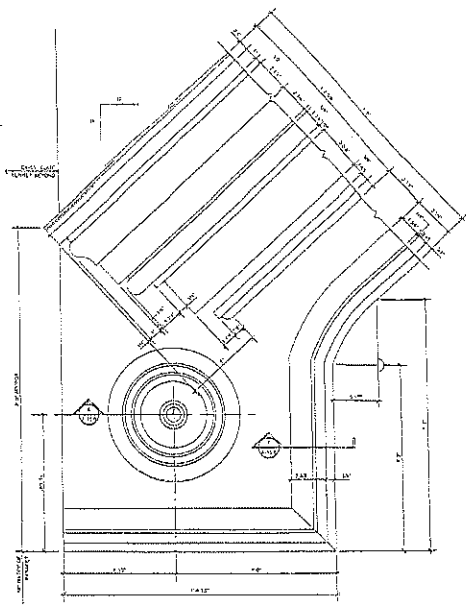
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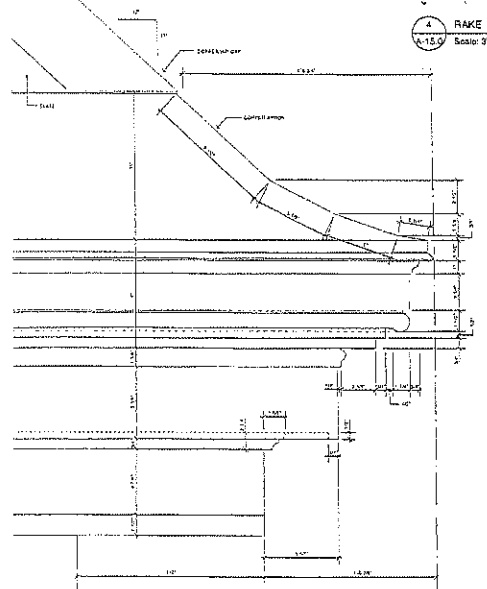
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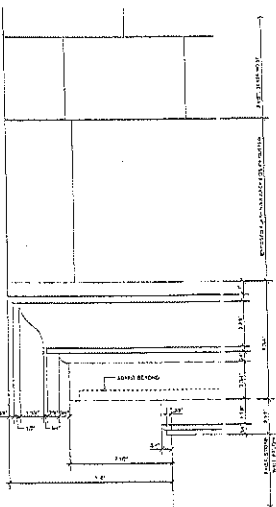
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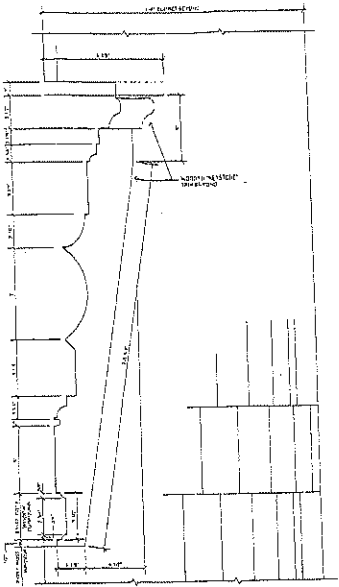
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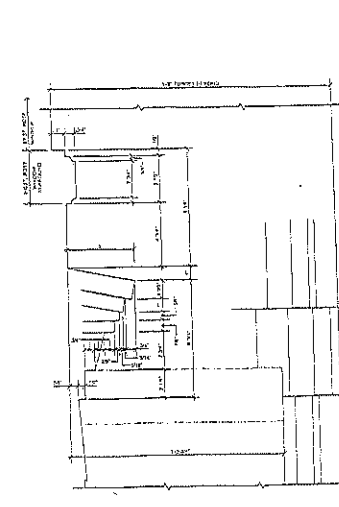
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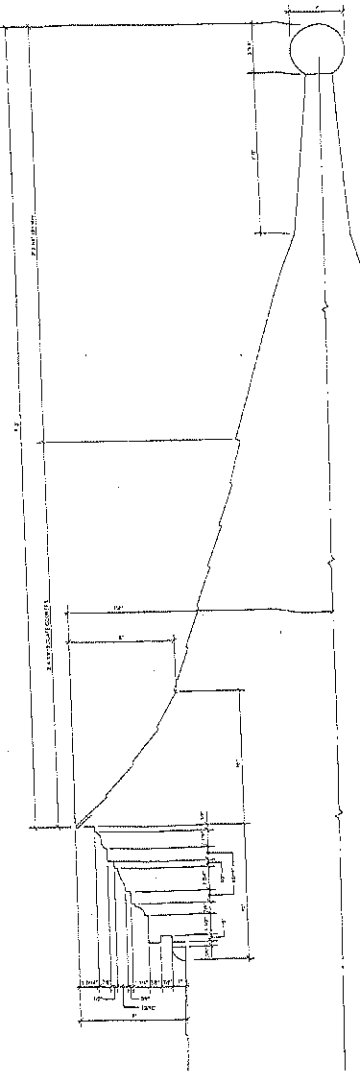
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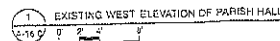


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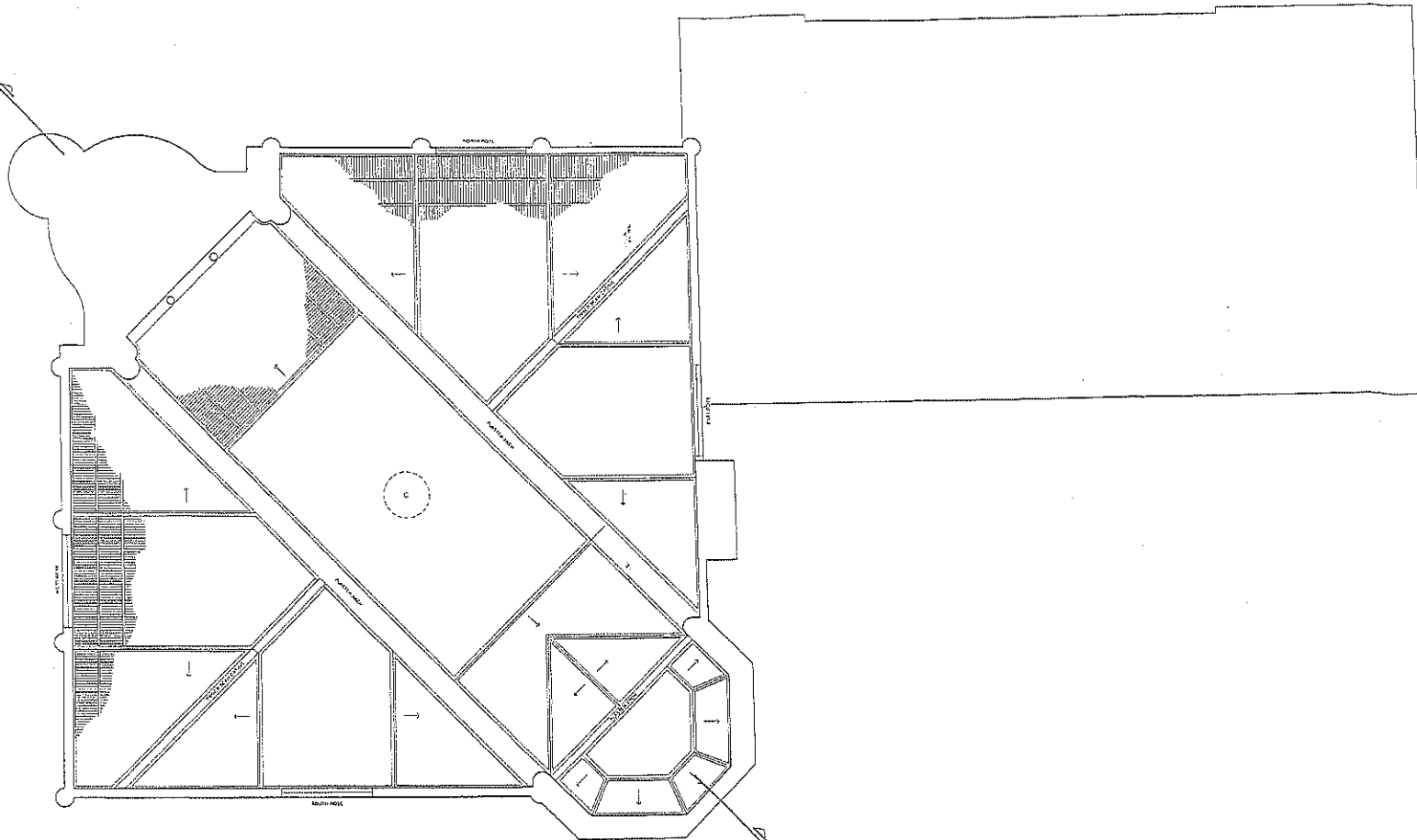


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ADAPTIVE REUSE of the ST. LAWRENCE ARTS CENTER 76 CONGRESS STREET PORTLAND MAINE	
EXISTING EXTERIOR TRIM DETAILS	
MILLS VINTAGE ARCHITECTS LLC 20 WOODBURY AVENUE PORTLAND, ME 04106-4000 TEL: 207.774.1111 WWW.MILLSVINTAGE.COM	
DATE: 12 JULY 2009	
PRELIMINARY DESIGN NOT FOR CONSTRUCTION	
SHEET A-15.0	

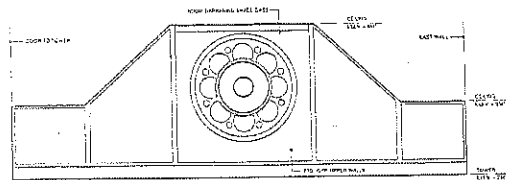


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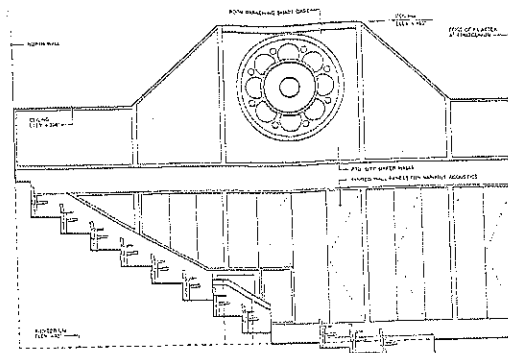


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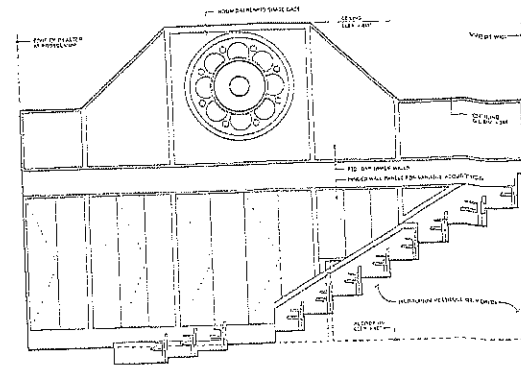
MILLS WHITAKER ARCHITECTS LLC 1000 BROAD STREET SUITE 200 PORTLAND, ME 04101	
ADAPTIVE REUSE OF THE ST. LAWRENCE ARTS CENTER 76 CONGRESS STREET PORTLAND MAINE	
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DATE REVISED	DATE REVISED
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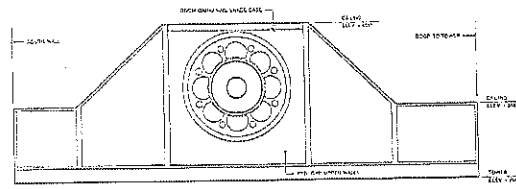
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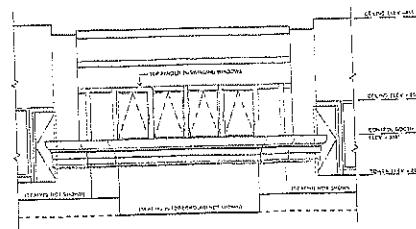
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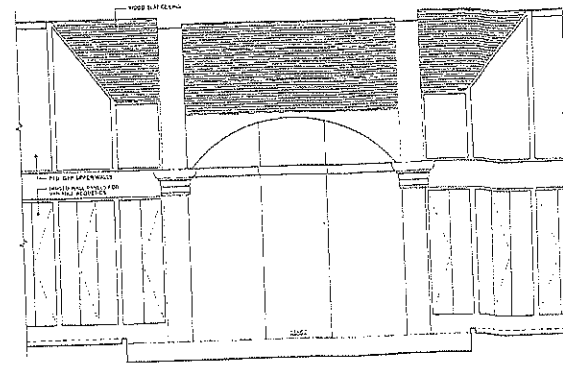
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F WEST ELEVATION (MUNJOY STREET)
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E NORTHWEST ELEVATION (CONTROLS)
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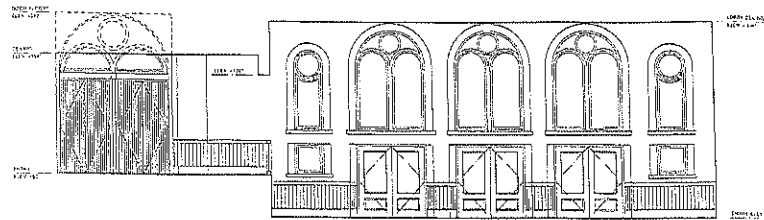
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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
SANCTUARY AUDITORIUM INTERIOR

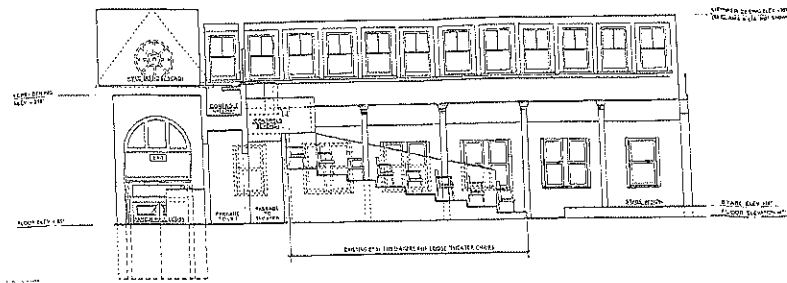
MILLS
UNDERAKER
ARCHITECTS
LLC
200 NEW STREET
PORTLAND, MAINE 04101
(207) 877-1234

DATE: 12.04.2005
DRAWN BY: J. UNDERAKER
CHECKED BY: J. UNDERAKER
PROJECT NO.: 05-001

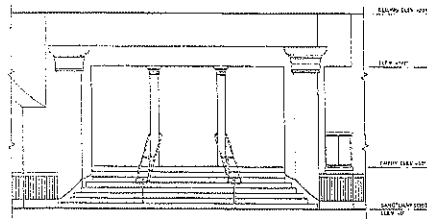
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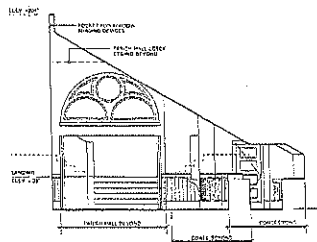
PROPOSED SANCTUARY LOBBY NORTH ELEVATION
Scale: 3/16" = 1'-0"



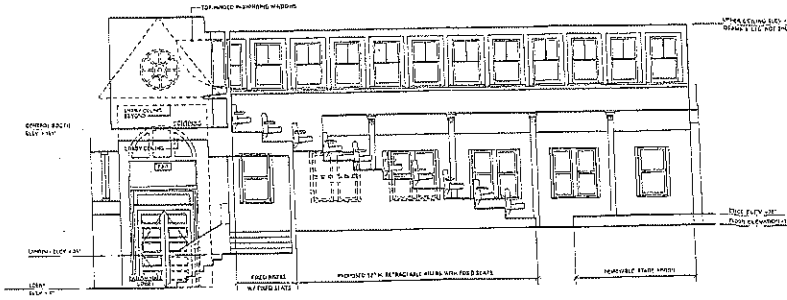
SECTION OF EXISTING PARISH HALL THEATER & LOBBY
Scale: 3/16" = 1'-0"



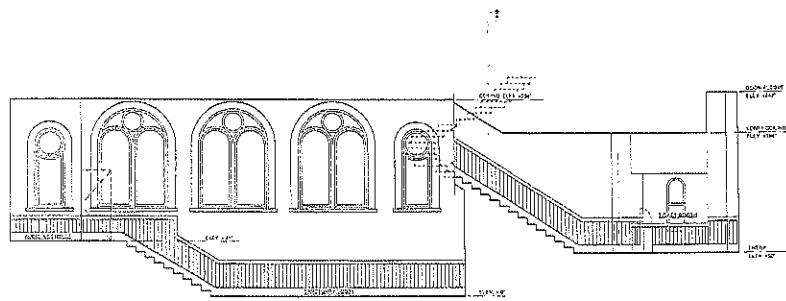
PROPOSED SANCTUARY LOBBY NORTHWEST ELEVATION
Scale: 3/16" = 1'-0"



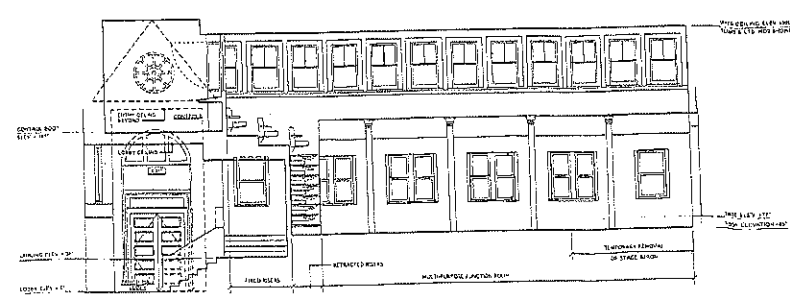
PROPOSED SANCTUARY LOBBY EAST ELEVATION
Scale: 3/16" = 1'-0"



SECTION OF PROPOSED PARISH HALL THEATER & LOBBY
Scale: 3/16" = 1'-0"



PROPOSED SANCTUARY LOBBY WEST ELEVATION
Scale: 3/16" = 1'-0"



PROPOSED SANCTUARY LOBBY ELEVATION
Scale: 3/16" = 1'-0"

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ADAPTIVE REUSE OF 18C
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

LOBBY AND PARISH HALL THEATER INTERIORS

DATE: 13 JULY 2023

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 is 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

<u>Name (Please Print)</u>	<u>email (optional)</u>	<u>Signature</u>
Joan Shesky	joanisshesky@gmail.com	Joan Shesky
Robert A. Bradley		Robert A. Bradley
CAROLYN Young	CBYTRY@Maine.RR.com	Carolyn Young
CARL Loomis	CARL.LOOMIS@valerymc.net	Carl Loomis
Ross Fields	fieldsotun@gmail.com	Ross Fields
Jennifer W. Kstrom	JWIKPORT@YAHOO.COM	Jennifer W. Kstrom
Sam Cohen	Sam.Cohen@mainejazz.org	Sam Cohen
Tom Conell	conell@maine.com	Tom Conell
Judi Malia		Judi 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 Piergrass SR.	jpier@maine.rr.com	Joe Piergrass SR.
Trevor Coyne	Tcoyne@maine.rr.com	Trevor Coyne

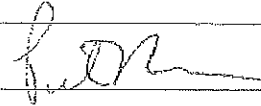
Friends of St. Lawrence Arts
Public Meeting for Contract Zone Amendment
February 12, 2014

Name (Please Print)

email (optional)

Signature

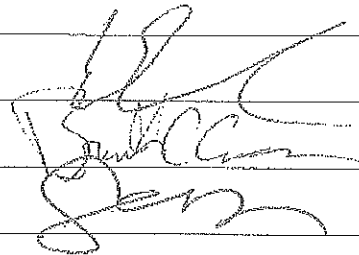
Peter Bass



Barbara Vezina

Eric Lessard

Brent 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.

Gorrill-Palmer Consulting Engineers, Inc.

Nell Donaldson
October 1, 2014
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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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FAX: 207-657-6912
E-Mail: mailbox@gorrillpalmer.com

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 44I, 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.

Ms Deirdre Nice
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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

Ms Deirdre Nice
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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

Ms Deirdre Nice
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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

Ms Deirdre Nice
October 1, 2014
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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

Ms Deirdre Nice
October 1, 2014
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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

Gorrill-Palmer Consulting Engineers, Inc.

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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 that 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 on 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.

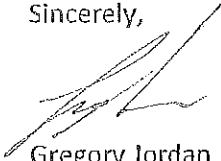
Not only does this partnership benefit St. Lawrence patrons with convenient transit service connecting the downtown district with the theater, it will also provide enhanced transit service for Portland residents and visitors travelling on the peninsula and up to Munjoy Hill and the Eastern Promenade. 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

Neil,

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.



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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

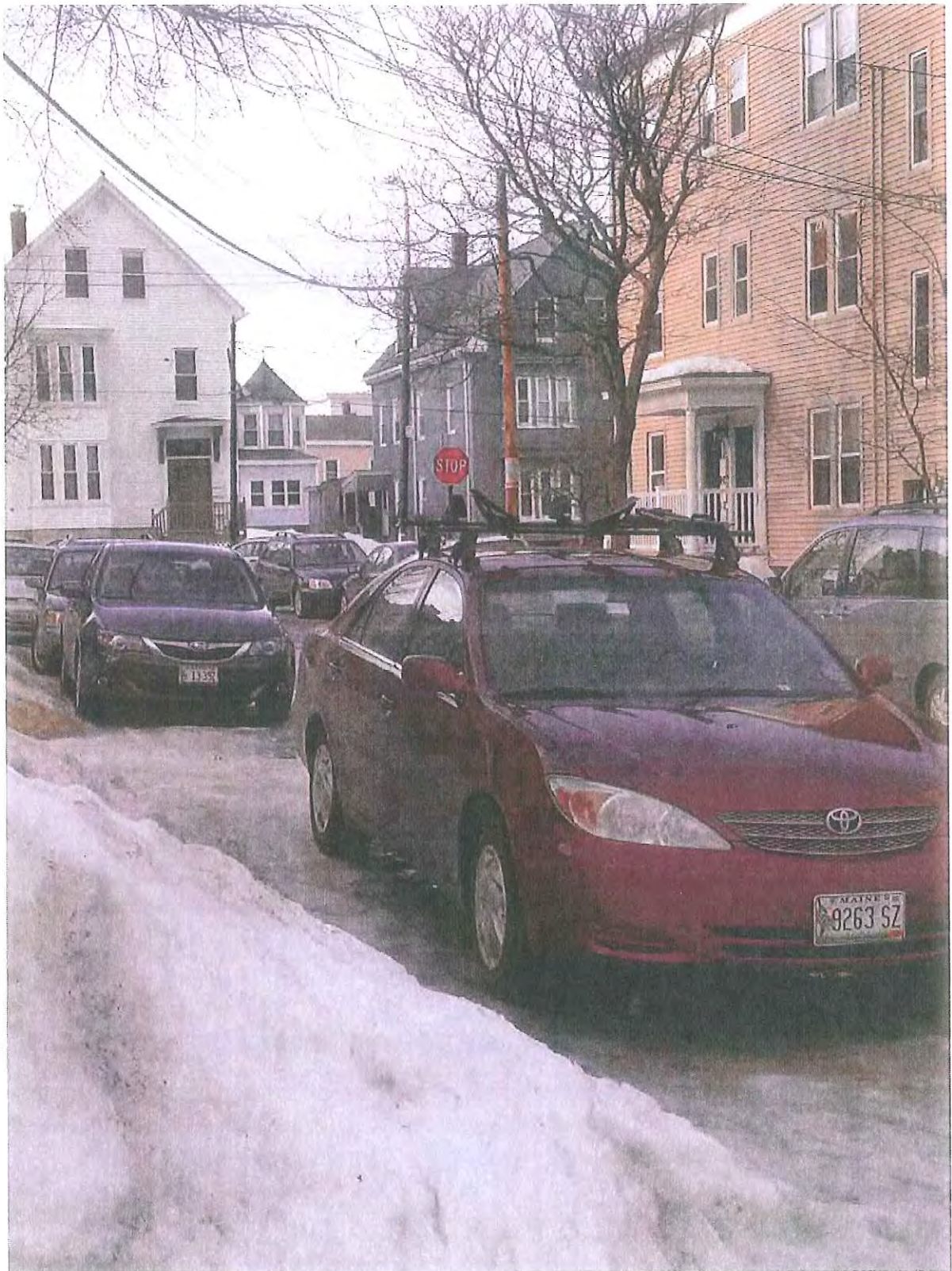
From: ebw <cenebw@gmail.com>
To: <hcd@portlandmaine.gov>
Date: 2/26/2014 10:56 AM
Subject: st lawrence arts center
Attachments: IMG_20140223_144028.jpg; IMG_20140223_143355.jpg

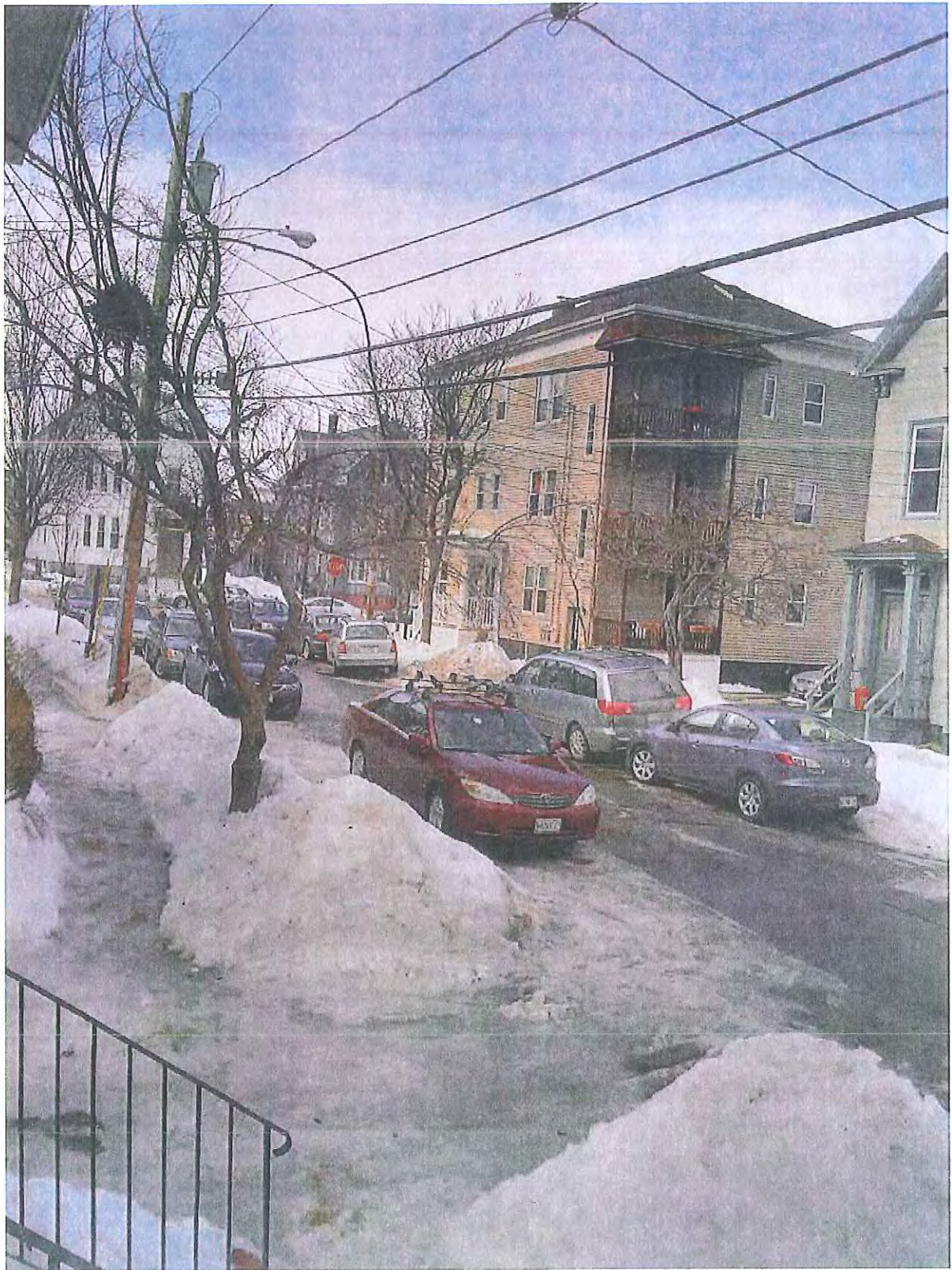
I live on beckett street three houses down from the St Lawrence church. I wanted to attend today's meeting in person but am unable to so am writing this email. Overall, I am not against the project but I have concerns that the scale of it is too large for the neighborhood in terms of noise and parking 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 upto 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@gwi.net>, Leslie Bailey <legato@gwi.net>, Jon Hinck <jhinck@lewissaul.com>, Tom Kelley <thomas.kelley@maine.edu>, Rita Yamold <cbayreal@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 <mfbp@portlandmaine.gov>, Mark Rees <MHR@portlandmaine.gov>, Julia Kirby <julia.kirby@stlawrencearts.org>, Maia Greco <maiaagreco@verizon.net>, Cheryl Leenan <cal4161@yahoo.com>, Ed Sustovic <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 *- Excl 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	2/23/2013	S/O Perf. at St. L
M e l b o u r n e	Eastern		Prom.		F
	222	199		M	
	Emerson	Emerson	Emerson	Morning	Morning
			47	Vesper	Vesper
		Howard	Howard	Beckett	O'Brian
	Merrill	Merrill	Merrill	Munjoy	Munjoy
	Layfayette	Layfayette	Atlantic	Atlantic	Atlantic
	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	Emerson	Morning	Morning
			55	Vesper	Vesper
		Howard	Howard	Beckett	O'Brian
	Merrill	Merrill	Merrill	Munjoy	Munjoy
	Layfayette	Layfayette	Atlantic	Atlantic	Atlantic
	North	North	North	St. Lawrence	St. Lawrence
Tot. Spaces Available		451			

Spaces Open	Spaces Open	Spaces Open	3/9/2013	S/O Part. at St. L.	
			Eastern	Prom.	F
M 232	Q 166	T	Morning	C Morning	o Morning
I 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	SLC
e	Layfayette	u Layfayette	Atlantic	o Atlantic	Atlantic
		m		n	GI
North	North	b North	St. Lawrence	u St. Lawrence	St. Lawrence
Tot. Spaces Available					
G 429					

Spaces Open	Spaces Open	Spaces Open	3/16/2013	S/O Part. at St. L.	
			Eastern	Prom.	F
M 212	Q 160	T	Morning	C Morning	o Morning
I 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	SLC
e	Layfayette	u Layfayette	Atlantic	o Atlantic	Atlantic
		m		n	GI
North	North	b North	St. Lawrence	u St. Lawrence	St. Lawrence
Tot. Spaces Available					
H 401					

Spaces Open		Spaces Open	Spaces Open		3/23/2013	S/O Perf. at St. L.
M e l b o u r n e	Eastern		Prom.			
	230	184	Morning	Morning	Morning	Morning
	Emerson	Emerson	Emerson	Vesper	Vesper	Vesper
		Howard	Howard	Beckett		O'Brian
	Merrill	Merrill	Merrill	Munjoy	Munjoy	Munjoy
		Layfayette	Layfayette	Atlantic	Atlantic	Atlantic
	North	North	North	St. Lawrence	St. Lawrence	St. Lawrence
Tot. Spaces Available						
435						

Spaces Open		Spaces Open	Spaces Open		3/30/2013	Performance at St. L.
M e l b o u r n e	Eastern		Prom.			
	211	194	Morning	Morning	Morning	Morning
	Emerson	Emerson	Emerson	Vesper	Vesper	Vesper
		Howard	Howard	Beckett		O'Brian
	Merrill	Merrill	Merrill	Munjoy	Munjoy	Munjoy
		Layfayette	Layfayette	Atlantic	Atlantic	Atlantic
	North	North	North	St. Lawrence	St. Lawrence	St. Lawrence
Tot. Spaces Available						
427						

Spaces Open	Spaces Open	Spaces Open	4/6/2013	Performance at St. L.
Eastern Prom.				
M 215	Q 167	T Morning	C Morning	M Morning
I Emerson	e Emerson	r Emerson	n Vesper	d Vesper
b	b	n 29	g	y
o	e Howard	e Howard	r Beckett	
u	c	r	e SLAC	
r Merrill	Merrill	Merrill	s Munjoy	Munjoy
n		C	s	M
e	Layfayette	u Layfayette	Atlantic	o Atlantic
		n		n
North	North	b North	St. Lawrence	St. Lawrence
Tot. Spaces Available				
K 411				

Spaces Open	Spaces Open	Spaces Open	4/13/2013	Performance at St. L.
Eastern Prom.				
M 167	Q 161	T Morning	C Morning	M Morning
I Emerson	e Emerson	r Emerson	n Vesper	d Vesper
b	b	n 28	g	y
o	e Howard	e Howard	r Beckett	
u	c	r	e SLAC	
r Merrill	Merrill	Merrill	s Munjoy	Munjoy
n		C	s	M
e	Layfayette	u Layfayette	Atlantic	o Atlantic
		n		n
North	North	b North	St. Lawrence	St. Lawrence
Tot. Spaces Available				
L 356				

Spaces Open		Spaces Open		Spaces Open		4/14/2013		No Performance	
Eastern Prom.									
M 201	Q 173	T Morning	C Morning	M Morning	V Morning	F Morning	S Morning	S Morning	S Morning
Emerson	Emerson	Emerson	Vesper	Vesper	Vesper	Vesper	Vesper	Vesper	Vesper
	Howard	Howard	Beckett	SLAC					
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									
M 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 Nice	St. Lawrence Arts	deidre.nice@stlawrencearts.org
Ross Fields	46 Turner St.	ross.fields@munjoyhill.org
Vanna Carmone	105 North St #1	vannacarmone@gmail.com
Masina Wright	83 St. Lawrence St. Portland	
Stephen Goal	176 Eastern Prom. Portland	steve@goal.com
Owen Chaplin	150 Washington Ave	
Joyce Walworth	135 Sheridan St (203)	joyce.walworth@gmail.com
James P. Poirier	158 North St Portland	
Nita Arnold	559 CONGRESS PORT	CBAYREA1@MAINE.BR.COM
Mary Wadsworth	39 Waterville St	
Michelle Morgan	26 Lafayette St	mmorgan13@usnc.com
Lisa Morris	26 Lafayette St / 38 Turner	lmorris@usm.maine.edu
Fred Brancato	85 Beckett St	oplus2@maine.br.com
MJ Emerson		
Joanne Vandermeest	53 Bantley Ave Portland	vanderjoanne@yahoo
CAROL McCRACKEN	1 NORTH ST.	calockene@aol.com

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_craine@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" <lmorris@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. **22**

From: Stephen Gaal <steve@gaal.com>
 To: <hed@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. Regrettably I am not able to attend the March 18 workshop. I have attended very 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 mrs. 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 her 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 theater goers 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

VC
11

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	
Parvill Melwain	Parvill Melwain	89 North Street Portland, ME, 04101	(207) 756-5890	melwain-dan@yaho.com	✓
Walter Melwain	Walter Melwain	87 North Street 04101	(207) 773-112	Walter.Melwain@meine.04101	✓
Nikolay Velichkov	Nikolay Velichkov	56 Montreal St. Portland, ME		nikolovchikov@gmail.com	✓
David Coy	David Coy	95 COTWY.	699-6053		
Eec masley	Eec masley	12 Moody Street		emasley@pro.zenith.net	✓
Evan Keskemallie	Evan Keskemallie	74 Vesper St Apt 2 Portland	233-7814		✓
John Peck	John Peck	74 Vesper St Portland Apt #1			✓
John Harris	John Harris	74 Vesper St Portland Apt #2			✓
Julie Keskemallie	Julie Keskemallie	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	<i>Ed Apon</i>	Portland, ME. 90 Atlantic	699-8479		✓
Erin Dunne	<i>ED</i>	2-10 Brighton Ave Portland, ME 04102		misselainesilk@gmail.com	
Dominick A. Rizzo	<i>D.A. Rizzo</i>	72 OAK ST. #405 Portland 04102	207 420-6521	dominick@hughes.net	✓
W Pratt	<i>W Pratt</i>	8 Merrill 04101		will@tandemcoffee.com	✓
Crystal Pommeroy	<i>Crystal</i>	45 North St 04101		camypom@gmail.com	✓
Jeremy Sasser	<i>Jeremy</i>	70 Deering St 04101		sasserj@gmail.com	
John Bowen	<i>John</i>	36 North St Portland	650-4858	JBOWEN@BHAMC.COM	✓
Matt Libby	<i>Matt Libby</i>	35 North St Portland	408-2940	matlib527@hotmail.com	✓
David Martin	<i>David</i>	49 Cumberland Ave. #2	207-321-1188	heathphysica@hotmail.com	✓
Austin Saleby	<i>Austin</i>	9 Anderson Street Apt 2	207-730-0741	austinsaleby@gmail.com	✓
Zach Cashman	<i>Zach</i>	30 Brentwood St Apt 2	207-510-6499	successnasty@yahoo.com	✓
Aaron Charles	<i>Aaron</i>	58 Congress St. Apt. 3	no sah		
Jay (ap 270)	<i>Jay</i>	↓	↓		
Byron Polson	<i>Byron</i>	↓	↓		
Cake Whitman	<i>Cake</i>	23 Emerson #2	522-7863	mgtcommand@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

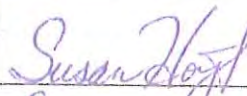
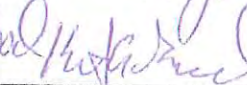
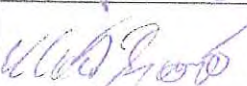
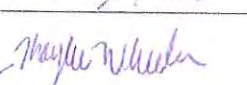
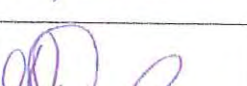
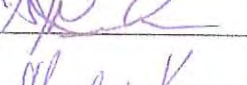
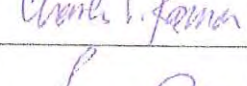
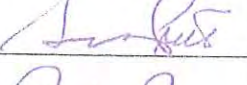
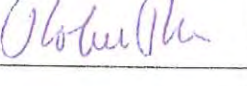
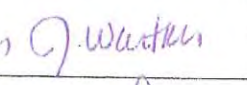
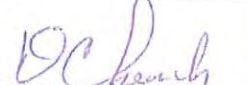
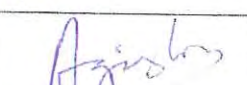
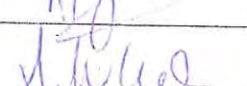
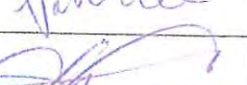
Print name	Signature	Address	Phone	e-mail	✓ I can help
Janet Stewart	Janet Stewart	187 E. Prom Portland, Me	899-2348	johnstewart + bdi@gmail.com	✓
Wendy Napolitano	Wendy Napolitano	208 Eastern Promenade #14	233-9232	wendy@mainecell.com	✓
Tony Napolitano	Tony Napolitano	208 E. Prom	233-5232		✓
Carmen Cerino	Carmen Cerino	10 Walnut St	838-8917		✓
Rachel Bruce	Rachel Bruce	125 Morning St	845-323-3600	rachelbruce@gmail.com	✓
Ryan Barnard	Ryan Barnard	125 Morning St	"207-272-2212"	"barnard97@gmail.com"	✓
Bethany Tweed	Bethany Tweed	246 E Prom	"207-632-5022"	"bethany.tweed@yeshiva.com"	✓
Dan Blais	Dan Blais	1350 Forest St	242-9196	daniel.blais13@gmail.com	✓
Alexis McCoy	Alexis McCoy	254 Eastern Prom. #4	—	alexisjmccoy@gmail.com	✓
Ruth Hansen	Ruth Hansen	340 Eastern Prom Portland, ME	—	—	✓
Tim Stevenson	Tim Stevenson	270 E. Prom	—	t.stevenson35@gmail.com	✓
Rita Sudbay	Rita Sudbay	45 Melburn St	—	resudbay@maine-rr.com	✓
H Ashby	H Ashby	288 E. Prom	—	hlieb@msa.com	✓
Jayne Schneider	Jayne Schneider	304 E. Prom	—	jensckneider@one.com	✓
Margaret Hillman	Margaret Hillman	9 Willis St	—	mhillman@maine-rr.com	✓

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
Susan Hoyt		43 HOWARD ST	773-8746		✓
Heidi Greenwood		402 Salmon St RD	240-1678		
Wet Knowlton		36 Woodrow Civich Moore Falls			
Kaylee Wheeler		50 Vesper Street Portland, ME	—		✓
Hank Drusch		124 Pleasant St	—		
CHUCK KAMAR		55 Morning St. Unit 2-1 04101	781 492 1192	CKamar@a comcast.net	✓
MASON PRATT		45 Eastern Prom Unit 4H	653-9060	mpratt@ percussion.com	✓
BOB SWAN		68 MITCHELL RD S.O.P.O.	653 2235	SWAN d 9 d 1 @ GMAIL.COM	✓
Jennifer Warkun		168 Eastern Prom R	415-8109	JWarkun1989@gmail.com	✓
David Church		325 Ray St	878-8307		
Andrew Collier		170 Eastern Promenade	312-1311	ajcollier1642 @gmail.com	✓
Ages ofz Anisshes		166 Eastern Promenade	207-620-6333	ages86@gmail.com	✓
Sarah Coonradt		1166 Eastern Promenade	207-607-2274	Sarah.Coonradt@ maine.edu	✓
Chad Caron		172 E. PROM #1	2—	caronchad82 @gmail	✓
Tom Stewart		155 E. Prom	712-8569	Stewart.t.b.d@gmail.com	✓

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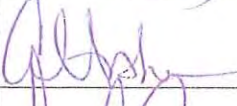
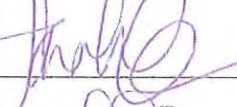
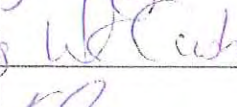
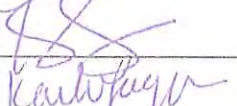
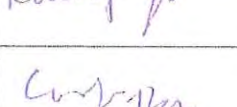
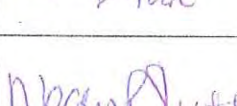
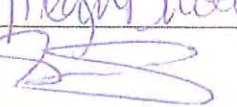
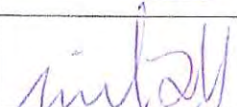
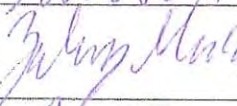
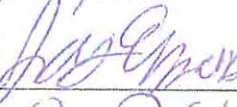
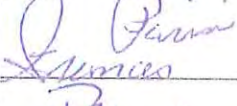
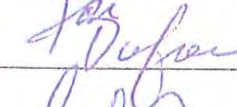
Print name	Signature	Address	Phone	e-mail	✓ I can help
Thomas MacMillan	Thomas MacMillan	17 May St #3			
Adam Martella	Adam Martella	98 Grant St. Apt 8		adam.martella@gmail.com	
James W. Devine	James W. Devine	696 Congress St.		JamesWDevine@yahoo.com	
MARK S. PLUMMER	Mark S. Plummer	10 Derby St Portland 04101		H3pro_martz@yahoo.com	
Elizabeth Streefer	Elizabeth Streefer	66 Quebec Portland ME		streefer@stratos.net	
Catherine Hall	Catherine Hall	North St Portland Me			
Bonnie Brien	Bonnie Brien	115 North St Port. Me	Bonnie Brien		
Garry Richards	Garry Richards	208 Congress			
Alex Gann	Alex Gann	54 Walnut St.		bigbajod@comcast.net	
Adam Foster	Adam Foster	110 North St		110 north street@gmail.com	
Anna Bacon	Anna Bacon	" "		110 north street@gmail.com	
Robert Huppwell	Robert Huppwell	93 Atlantic St. Portland, Me			
ELIZABETH CLARK	Elizabeth Clark	16 Presumscot St. Portland.			
Skylar Richardson	Skylar Richardson	1192 Washington Portland, ME 04101			
Kathleen Sullivan	Kathleen Sullivan	158 North St Portland, Me		msullivan@myfairpoint.com	

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Print name	Signature	Address	Phone	e-mail	✓ I can help
Croix Galipault		25 Waterville St	617.642.5032	croixgalipault@gmail.com	✓
Aimee Hake		50 Congress St Apt 3	914 629 6168	Aimee.fly@gmail.com	✓
Sarah Goan		54 Walnut St Portland 04101	703 403-3681	Krichels@hotmail.com	✓
Maria Cushing		12 Ocean View	207-210827	Maria.Cushing5@yahoo.com	✓
Karen Fagan		105 North St #3 Portland	207 518 9274	KKFagans@yahoo.com	✓
Karla Fagan		105 North St #3 Portland ME 04101	207 332 5567	KKFagans@yahoo.com	✓
Carolyn Thack		73 Cumberland Ave #2	(917) 428-4010	carolynthack@gmail.com	✓
Megan Shuck		40 Congress St	207 632 4352	MeganShuck@gmail.com	✓
Seth Bullock		66 Underwood Rd. Falmouth	207 899 9436	bullockseth16@gmail.com	AS
Indira Crowell		18 Atlantic St #4 Portland		igowell@hotmail.com	✓
Zachary Walker		151 North St. Apt H 108		zwalker91@gmail.com	✓
Janez Gannon		19 Fox Run Rd.		Gannonj502@yahoo.com	AS
PARISI FRANCES		158 North St Portland	774-9654		✓
DON DUBESNE		101 North St		dondubessne@yahoo.com	✓
Elizabeth Winy		22 Cumberland Ave		bizw@hotmail.com	✓

Wina

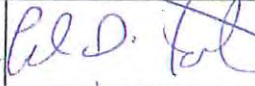
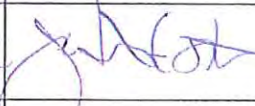
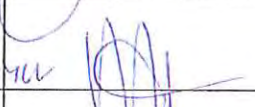
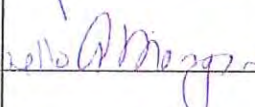
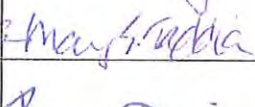
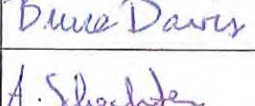
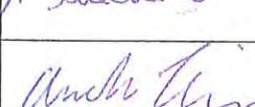
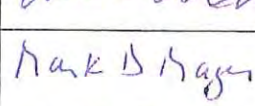
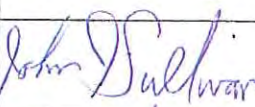
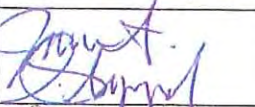
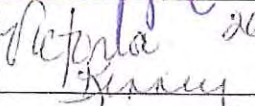
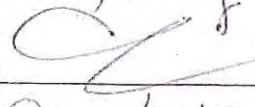
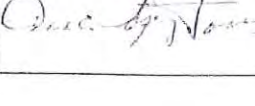
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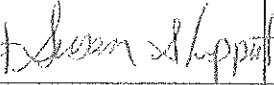
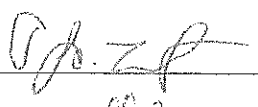
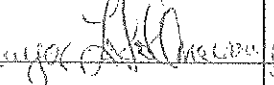
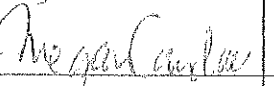
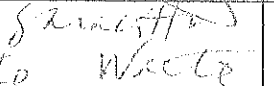
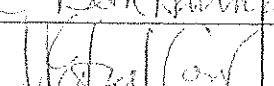
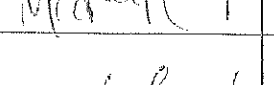
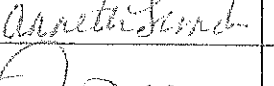
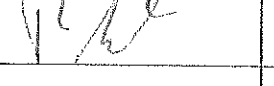
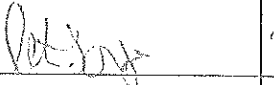
Print name	Signature	Address	Phone	e-mail	✓ I can help
PETER FOSTER		340 E. Prom		fostrpd@gmail.com	✓
Jed Foster		340 E Prom		11 11	✓
Maggie Pulliam		84 Rosewood	(02) 992 7		AS
James Aust		45 Eastern Prom #3	(207) 712-5445	jim.aust@maine.com	✓
Anne Mangano		135 Anderson St.	207-775-8884	iemangano@yahoo.com	✓
Mary Tackler		135 Anderson St.	207.420.1756	mtackler@umaine.edu	✓
Bruce Davis		45 Quebec St Portland	756-0185	bruce.davis21@yahoo.com	✓
Angelika Schechter		21 Deering St. Portland		abraham@gwinet	
Amanda Kierman		68 Sawyer St.		akierman@umaine.edu	
Mark Mayer		15 O'Brien St. Portland, ME 04101		markmayer60@gmail.com	✓
John Sullivan		1382 Forest Av. Portland, ME		jsully65@yahoo.com	
JASON SHEPPARD		Pine St. Portland		resurgom207@gmail.com	
Victoria Kinney		26 William St		Kinneyfam@maine.rr.com	
Spencer Mink		30 Chase St		melnick2000@hotmail.com	
Anna Lopez		56 Wilson St Portland		alopezlopez@gmail.com	

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Print name	Signature	Address	Phone	e-mail	✓ I can help
Jaclyn Porthoff		2210 E. Prom	838-2815	porthoffjaclyn@gmail.com	✓
Susan S. Lippert		76 Anderson	837-2866	sue.lippert@gmail.com	
Tim Lippert		76 ANDERSON	838-1760	talippert@gmail.com	
LISA Sillness		121 Walden St	699-1512	5ellness@yahoo.com	
Megan Carlow		22 Madison St	427-6404	mc@run-faster.com	
Dana Street		110 Park St		dane@daneStreet.com	
Sarah White		44 Wellstone	833-1083	swaite@comcast.net	
Beth Hartman		28 st George Apt 2	232-0749	beth29hartman@gmail.com	
Michael Carmon		12 Park St, Apt 7	772-0009		
Annie He Lemek		98 Whittey Ave Portland	400.6024	annielemek@yahoo.com	
STEPHEN MORTON		60 GREEN ST.			
Rob Falt		96 Green St	318-0071		
Pete Sager		207 State St			
Josh Kierulff		3 GRANT ST	207-53576		
Margo Wood		18 Lawn Ave			

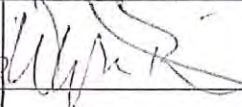
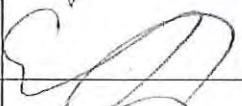
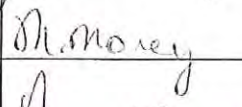
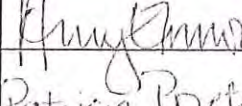
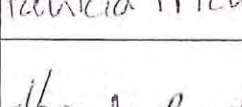
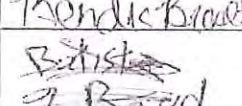
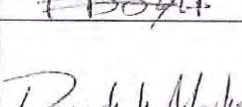
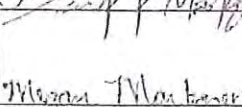
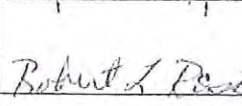
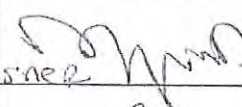
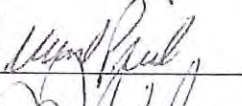
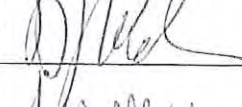
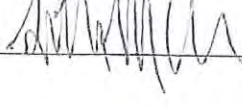
Petition to Portland Planning Board and City Council

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 Lacey Ave.			
Elizabeth Miles		46 Wellington			
Carolyn Roddy		42 Parsons Rd		cradding@maine.rr.com	
Marian Morrey		58 Hovis St		Marianmorrey@gmail.com	
Ann Emmons		50 Pennacott Dr			
Patricia Prieto		48 Sheffield St		PPrieto@maine.rr.com	
Kendra Breselle		1244 Washington Ave			
Batista		9 Boyd #1		207-274-0288	
Derek Markgren		291 State St #2		Sademore@attmail.com	
Megan Markgren		291 State St #2		meganmonelittlefield@yahoo.com	
Robert Ross		43 Highland St		BROSST52@GMAIL.COM	
Devan Krossner		27 Brookview Terr			
Mike Pulaski		68 Water St #2		michael.pulaski@gmail.com	
Margaret Welch		29 Clifton St		m.welch@hulaw.com	
Susan		29 Clifton St			

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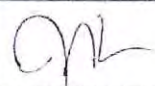
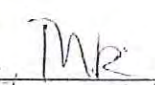
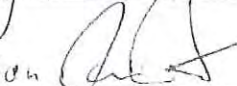
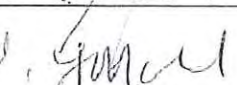
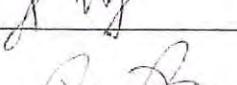
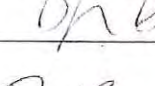
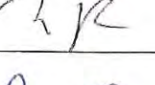
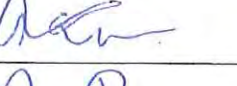
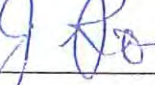
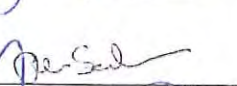
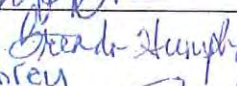
Print name	Signature	Address	Phone	e-mail	✓ I can help
David Ryan	[Signature]	159 Grand St.			
Charmey Mullin	[Signature]	159 Grand St.			
[Signature]	Alex Carmona	92 Keweenaw St.			
James Seng	[Signature]	25 Stradgater Rd		jimejsengineer@gmail.com	
Ruma Yang	[Signature]	91 Christy Rd			
John Yanga	[Signature]	103 Front St.	774-6478	juma.yanga@gmail.com	
Kyle Denis	[Signature]	546 Cumberland Ave		Kyle.Denis@comcast.com	
Alex McFadden	[Signature]	9 Arnold Rd			
Scott McFadden	[Signature]	9 Arnold Rd			
LINNA HAWK	[Signature]	178 Pine St Apt 2F		linna.hawk@gmail.com	
Daniel Mack	[Signature]	91 Carlton St Apt 1		mauer77@gmail.com	
Kelvin D. Blos	[Signature]	12 Hollis Rd		Kblos@maine.rr.com	
Cheryl Morris	[Signature]	9 Fred #2		chrisjmorris@gmail.com	
Peter Hackley	[Signature]	76 Cumberland Ave			
Amy Hesler	[Signature]	55 ALBA ST.		amy.hesler@gmail.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
Isabel Hene		55 Alb St			
Meghin Kelly		39 Greenleaf St			
James Johnson		43 Samuels St.		jli@wisc.edu	
Lydia Moland		43 Samuels St			
Arabella Perez		27 Fairbank St		perezadga@aigwi.net	
Naty Bradley		712-5120 19 East Commercial Dr.		KBRADS25@GMAIL.COM	
Jason Bradley		79 East Commercial Dr.		JASBRAD@COMCAST.COM	
Megan Pryor		38 Irving St		memprior@gmail.com	
Matt Pryor		38 Irving St			
Andrea Rorer		115 Huntington		napromer@hotmail.com	
Jim Rorer		115 Huntington		j.r.d.rorer@chotmail	
ALAN FREEMAN		164 CALEB		AL33@MAIN.RP.COM	
James Darr		12 North St 13		mcantain25@gmail.com	
Brenda Humphrey		35 Merrill St			
Graeme Kennedy		22 Atlantic		graeme.k@gmc.1.com	

RF

Letter to Portland Planning Board and City Council

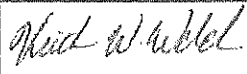
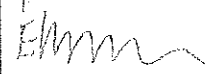
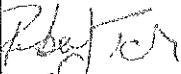
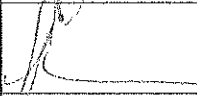
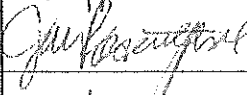
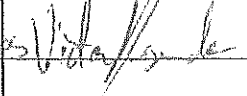
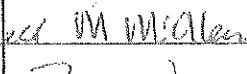
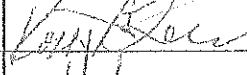
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105 North Street, Unit 1, Portland, Maine 04101

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
Kath W. Welch		89 Vesper St. #3	207 774-3043	Sunshineloanthat@hotmail.com	
Sam Cropper		63 New River Circle, South Portland ME	401-558-7991	sonisagreat@yahoo.com	
Elke Muller		94 St. Lawrence	450-3049	ludvine@gmail.com	
Robert Tate		94 St. Lawrence St 04101	450-3049		
Jamie Hall		90 St. Law	330-1632	SU@COS-751.C	
George Shaler		13 Merriam St. 04103	771-5571	GSHALER@US4.HIS.NE.EDU	
Karen Maudano		27 Melbourne St	409-307-8583	Canwenke@yahoo.com	
Jill Roseman		13 Merriam St	771-5571	inbasae@aol.com	
Victor Rezende		177 Cumberland Portland	330-4393	Victorrezendes@gmail.com	
Marcella Mialan		219 Bluff Rd Yarmouth	229-7771		
Ross Fields		416 Turner St. #4 Portland ME 04101	207 233-4327	ross.fields@munjoyhill.org	
Mike Dugay		47 S. 6th St	—	msdugay@9mail.com	

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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

Print name	Signature	Address	Phone	e-mail	✓ I can help
Harrington Moulton	Harrington Moulton	457 Commercial Ave Apt 12	207-0367		
Alice Krasowski	Alice Krasowski	28 Morning St	400-4834		
Eric Meyersheim	Eric Meyersheim	244 Commercial St Portland	546-8248		
Bradley Dabole	Bradley Dabole	22 Emerson St	234-0133		
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	774-4852		
William Harrison	William Harrison	21 Mackworth St Portland 04103	774-4252		
Patricia A Wilbur	Patricia A Wilbur	2 PINE HEDGE AVE Portland			
Ted Musgrave	Ted Musgrave	149 Bradley St		708047 maine-rr.com	
Tiffany Heater	Tiffany Heater	15 Wilkie Street	9176691031		
Cornie Holbome	Cornie Holbome	15 Wilkie Street	917683 0542		
Brittany Rumaine	Brittany Rumaine	15 Forest Ave Portland ME 04103	207-844-9113	B.Rumaine 207-844-9113	
CHRISTINA STACEY	Christina Stacey	27 Raymond Rd Portland, ME 04103	207-774-4650		
Michelle Gargolice	Michelle Gargolice	130 Lynn St	207-878 1271		

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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

Print name	Signature	Address	Phone	e-mail	✓ I can help
Bill Karl	<i>Bill Karl</i>	130 LYNN ST PORT	678-12-11	—	
Will Russell	<i>Will Russell</i>	113 William St Portland			
Margaret Gomis	<i>Margaret Gomis</i>	880 Forest Ave Apt 1	578-3208	—	
Liah Hayes	<i>Liah Hayes</i>	279 State St Apt 1	416-9229	—	
Maria Conna	<i>Maria Conna</i>	12 PILL ST.	712-0739		
Seth VanDun	<i>Seth VanDun</i>	12 Salem St	899-3744		
Heather VanDun	<i>Heather VanDun</i>	12 Salem St	899-3744		
Nat Juv	<i>Nat Juv</i>	31 SHUMWAY			
JULIA FRIE	<i>JULIA FRIE</i>	22 THOMAS			
Kear Rieford	<i>Kear Rieford</i>	158 Duffin			
Jenn York	<i>Jenn York</i>	24 State St. #1	201-332-1188	yorkjenniferce@gmail.com	
Mei Selvey	<i>Mei Selvey</i>	37 Berley Ave			
FRANCO P. MONTAG	<i>FRANCO P. MONTAG</i>	53 FINE ST.			
Charlie Brown	<i>Charles Brown</i>	83 Sherman St. #3 Portland, ME	400-6941		
Michael Merritt	<i>Michael Merritt</i>	118 Beacon St. Portland, ME	774-3732		

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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
Kathryn Stead	Kathryn Stead	50 Gleckler Rd.	—	stead485@gmail.com	
Bill Gardner	Bill Gardner	126 Gleckler Rd			
Marsha Stultz	Marsha Stultz	107 Tucker Ave.			
Mindy Ray	Mindy Ray	107 Tucker Ave.			
Barbara Rausch	Barbara Rausch	66 Spruce St #4 Portland			
Dawn Fessenden	Dawn Fessenden	71 BRADLEY ST			
Ryan MacDonell	Ryan MacDonell	95 Broadway	—	—	
Emily Black	Emily Black	95 Broadway		—	
Garrett Delaney	Garrett Delaney	30 WEST ST			
Anne Brooks	Anne Brooks	30 WEST ST			
Cheryl Pate	Cheryl Pate	102 Washington			
Angela Giordano	Angela Giordano	102 Washington			
Cathy Roeder	Cathy Roeder	5 Houlton St	—	—	
Alex Chang	Alex Chang	5 Houlton St	—	—	
Cindy Mackay	Cindy Mackay	129 EMERY ST.			

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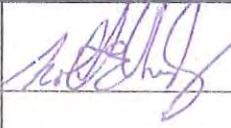
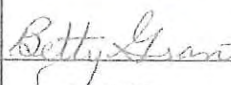
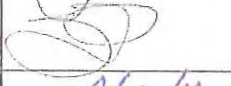
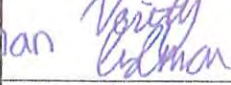
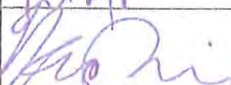
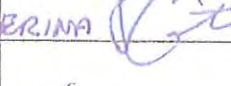
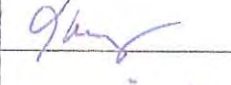
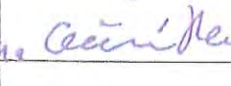
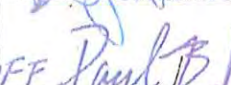
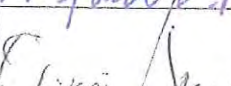
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Petition to Portland Planning Board and City Council

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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
Scott Hardy		50 Spring St Unit 9		scotthardy@gmail.com	
BETTY GRANT		418 Caprice St			
SOOZIE LARBE		147 Vaughan St.		inksiirn@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 Creve St. Portland, ME 04101			
Janet Caterina		56 Ocean Ave #2 Portland, ME 04103			
JAMAAL CATERINA		56 Ocean Ave. Portland, ME.			
Jane Gagne		25 EMORY ST APT 405		Jgagne@gmail.com	
Christine Racine		246 Auburn St #119		christina@peacemail.com	
Joyce Racine		246 Auburn St #119 Portland		joyracine@peacemail.com	
Virginia Dos		120 Reed St Portland ME 04103		Tinnig2@yahoo.com	
PAUL B. MANOFF		480 Allen Ave Portland			
ACQUELINE LIVERI		88 BEX ST, #2 PORTLAND, 04101		OLIVERI@GMAIL.NET	
RALPH CARMONA		105 NORTH ST #1			

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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
Susan Pare	Susan Pare	Cumbe	400-2568		
Jeff Vane	—	—	400-2568		
MARSHAL WILLIAM H.	William H. Marshall	96 Pitt St.	620-74-0116		
KATHERINE M. MARSHALL	Katherine M. Marshall	"	"		
Morgan Locke Adams	Morgan Locke Adams	16 Linden Street		mlockeadamse@gmail.com	
Erik Hildebrand	Erik Hildebrand	32 Felton Street	—	—	
Helen Dator	Helen Dator	84 Farragut St	797-4973	—	
Michael Hays	Michael Hays	14 Hays St	—	—	
Shawn Dierds	Shawn Dierds	14 Hays St		smclarders85@yahoo.com	
Susy Kist	Susy Kist	134 Neal St		skist@gwinnet	
Rita M. Zabrocki	Rita M. Zabrocki	419 Cumberland Ave #43		Rwiltzie@gwinnet	
Breeder Santoro	Breeder Santoro	15 Murray Portland ME 04103	874-2873	bhsantoro@aol.com	
Care Demer	Care Demer	33 Payson St Portland	—	—	
Holly Lord	Holly Lord	202 Cashman St. Portland			
Cody Deboy	Cody Deboy	1400 PI APT 13	—	Photocody@gmail.com	

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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
Monica Swan	Monica Swan	28 Melbourne		mswan7@gmail.com	✓
Caron Murray	Caron Murray	40 St Lawrence	caron.murray@munjoyhill.org	caron.murray@munjoyhill.org	✓
MARCIA PERKOR	Marcia Perkora	41 Atlantic		perkora.marcia@gmail.com	✓
Alexandra Carter	Alexandra Carter	72 Morning St.		xandra.carter@gmail.com	✓
ANDREW SAWYER	Andrew Sawyer	58 E. Oxford St		Asawyer.Sawyer@gmail.com	✓
DAVID R. HOPKINS	David R. Hopkins	62 Waverly St.		dhopkins.dave@yahoo.com	✓
Richard R. Farnsworth	Richard R. Farnsworth	755 Old Mast Rd Portland, ME 04105	207-253-3974	omc@maine.vv.com	
Felicia Files	Felicia Files	76 Monument St #		feliciawoh@gmail.com	✓
Dana Maghais	Dana Maghais	74 Atlantic St			✓
Lauren Sheeley	Lauren Sheeley	78 Atlantic St.		Lauren.Sheelley@gmail.com	✓
Lenora D. Finner	Lenora D. Finner	96 Vogue St		lenora.d.finner@hotmail.com	✓
Dennis Bailey	Dennis Bailey	55 Morning St		dennis@sawyer-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			

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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
Kristie Collins	Kristie Collins	11 George St. Apt 2	329 0982	KristieCollins@rocketmail.com	
Michael Royles	[Signature]	18 LORAIN ST		mroy42@gmail.com	
Frances Lowell	F.P. Lowell	13 West St #13			
Haider Hussain	Haider Hussain	610 Congress ST	2391903	haiderhussain36@yahoo.com	
Jessica Long	[Signature]	95 West St	207 434 4705	Jess.long327@gmail.com	
STEPHEN KELLEY	Stephen Kelley	439 CONGRESS ST #416 PORTLAND		56 ALBERT C @GMAIL.COM	
Linda Zaccaro	Linda Zaccaro	72 Frances St. Portland			
Julie Grant	Julie Grant	155 West Dr		jgrant50maine.rr.com	
Carl Baker	CARL BAKER	115 Congress St			
PAT CORRIGAN	Pat Corrigan	62 India	450-8186	patrickcorrigan3@gmail.com	
GLENN SMITH	[Signature]	51 QUEBEC ST	420-0384		
Karl Vertz	Karl Vertz	56 Pine St	899-3140	KV124@livr.com	
Charlene Poirier	Charlene Poirier	12 Samuel Rd		Charlene-poirier@gmail.com	
[Signature]	[Signature]	60 Rockland Ave			
Charles Cain	Charles Cain	51 Newton St	450-2948	ccain1@maine.rr.com	

maine.rr.com

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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@maine.com	
GAZZA Smith	Gary Smith	195 Deepwood Dr	797-6623	GAZZA.Smith@maine.com	
George N. Price	George N. Price	290 Buxton Blvd	772-1481		
Liz Kalir	Liz Kalir	19 East Lawn Rd	650-0284	l20732@gmail.com	
Sarah Long	Sarah Long	51 Ray St	7		
Peter Calkins	Peter Calkins	25 WASHINGTON AVE	772-6574	PCALKINS@maine.com	
Pauline Skene	Pauline Skene	95 Emery St	780-8063	pskene@maine.com	
Nancy Kradtke	Nancy Kradtke	95 Emery St	774-3465		
NATHAN BAKER	Nathan Baker	236 PARK AVE		LIQUIDUSN@YAHOO	
MARLOWE DAUDEL	MARLOWE DAUDEL	13 TATE ST	579 0634	DMARLOWE001@maine.com	
GARY WATKINS	GARY WATKINS	B TATE ST			
Beverly Stewart	Beverly Stewart	66 Vesper St	772-0910		
Morgan Heuer	Morgan Heuer	19 Howard St			
Fatie Riley	Fatie Riley	46 Howard St			
Elizabeth Foster	Elizabeth Foster	285 STATE ST		ELIZABETH22@gmail.com	

Ross

Letter to Portland Planning Board and City Council

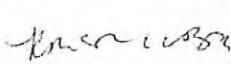
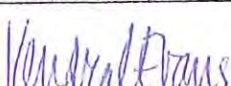
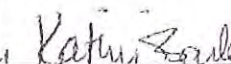
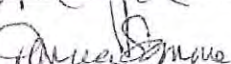
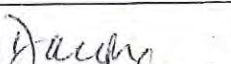
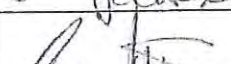
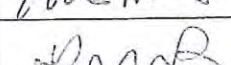
Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

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
Vincent (at)		86 Cheney St	773-5015	N/A	
Heather	Pollard	102 New Island	332-8796		
Linda	Reinholdt	25 Farragut St	6071-0019		
Kendra ^{ELSON}		279 Brackett St #6	504-376-4423		
Eric Menon		279 Brackett St #6	704-376-3423	bimmer-monkey@gmail.com	
Kathy Bailey		65 Bannock St			
Kasey ^{Cioffi}		125 Grant St #6	774-364-0474		
David Coyne		142 Rockland Pk. Ave	—	—	
Donna Sorana		126 Rockland Ave.	—	—	
Dawn Leland		33 Willow Ln P.O. 04102	459-8580	LelandDina@gmail.com	
Justin Duguet		37 W. 12th St.			
Kira Butera		11			

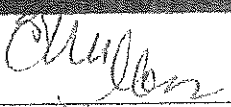
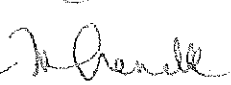
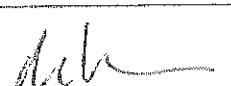
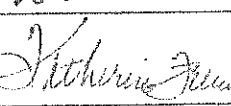
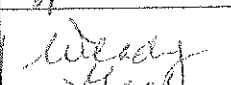
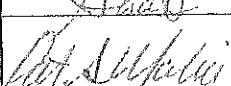
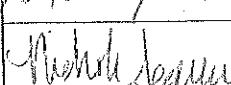
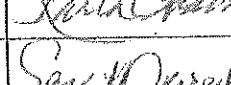
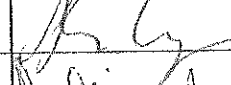
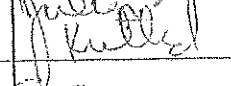
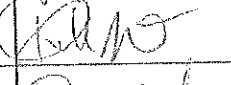
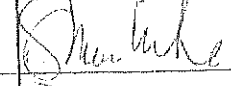
Ross

Letter to Portland Planning Board and City Council

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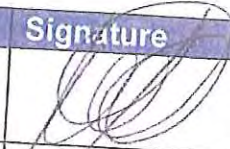
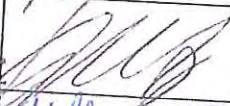
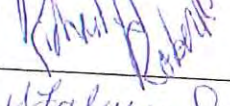
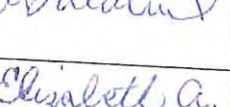
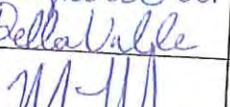
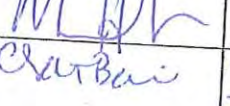
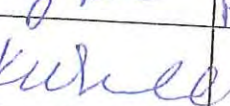
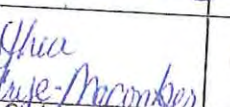
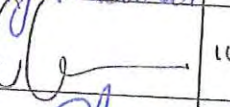
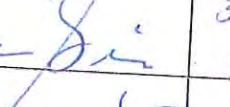
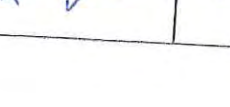
105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Catherine Mockus		124 Glenwood Hse Portland	874-7445	mockuskaty@yahoo.com	
Meg Grandae		18 Cobbett Rd Portland	729-6235	menandae5@aol.com	
MICHAEL LAPHAM		18 COBBETT RD Portland	450-6603	MLAPHAM04102@aol.com	
KATHERINE FREUND		51 BEARON STREET Portland	415-1630	KATHERINE.FREUND@ITNMaine.org	
STEVEN 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	rickm3@yahoo.com	
Nichole Sequeira		119 Morning St Apt 2 Portland 04101	653-9245	niko1178@hotmail.com	
KARIN ANDERSON		21 Chestnut St Portland, ME	773-4053	karinanderson1@gmail.com	
Sally Jungreis		51 Thomas Portland			
Shawn Gagne		33 Bay View Drive Portland	838-5950	sgagne2e@att.net	
JULIA KIRTLAND		51 Kellogg Portland	319-5817	juliekirtland@gmail.com	
KIM O'DONNEN		15 Grosvenor Rd Portland	776-5528	fins@maine.com	
SHARON MARTIN		15 Grosvenor Rd Portland		blaugangirl@yahoo.com	
Ben Roeger		8 Weber Street Portland		bsh90@jnh.com	

Petition

Letter to Portland Planning Board and City Council

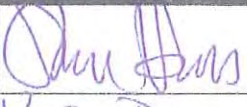
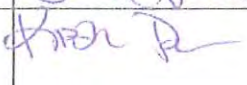
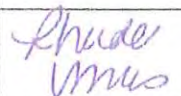
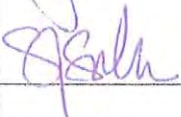
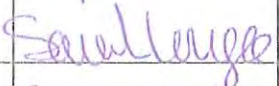
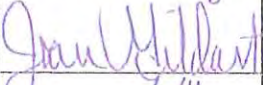
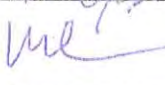
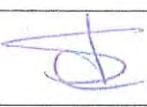
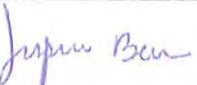
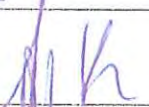
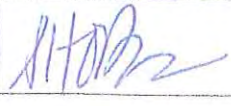
Print name	Signature	Address	Phone	e-mail
MAIA GRECO		107 NORTH STREET	210-6997	MAIAGRECO@VERIZON.NET
ANN KRONENBERGER		107 NORTH ST PORTLAND 04101	210-6997	akronenberger@gmail.com
Holly Seeliger		303 Brackett apt 2 Portland, ME	207 415-0207	hsg1-hq.com holly.seeliger@gmail.com
RICHARD ROBERTS		10 Merynfield Drive	207 797-6318	robbrando@msl.com
Madison Lalumand		32 Forest Park #1		mlalumand@gmail.com
Elizabeth A. DellaValle		64 Wellington Rd	899-3123	bethdellavalle@hotmail.com "Beth"
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		cobalt corey2@yahoo.com
Kathryn Whelan		370 Cypress St Portland ME		
Cynthia Frye-Macomber		10 Knight Street		
MARK ANDERSON		1603 WESTBROOK ST.		
GRACE WHELAN		35 Whitman Ave.	617 717 8192	gswhelan@gmail.com
Ellen Gilliam		36 Wellstone Dr Portland		
Melissa Kraft		76 Buca Run Portland		
Mika Iakka		161 Xack St P+1D	773 9084	
Rebecca Latta		161 York St Portland		slatte@maine-rr.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
SHARON ANDSON		14 Cherry St Portland	—	sharon@marketingpros.com	
Kirstin Powell		139 Abby Lane, Portland		kweilinkpe@yahoo.com	
Rhonda Vasmus		18 Lewis St Portland ME		Vasmurc@me.com	
Silvia SUPERNOVA		18 Lewis St Portland ME			
SHEILA SARRIMA		398 Ray St. Portland, ME	—	sheila@qwind.net	
Sarah Lougee		52 Birchwood Portland		SarahLougee@live.com	
Joan Gildart		97 Glenwood Avenue	748452	gildartjoan@yahoo.com	
James A. Albert		645 Congress #502		JAAlbert@guil.com	
Marie Swan		21 Sheridan St #3			
DD Swan		21 Sheridan St #3		ddswan@maine.rr.com	
Jessica Bean		61 Mayland St Portland 04103		Jess_More@yahoo.com	
Sandy Budiman		442 Cumberland Ave	—	—	
CARL RODMAN		442 Cumberland	—	—	
Bonnie Beach		67 Hastings St		bbeach@maine.rr.com	
Stephanie O'Brien		95 West St		clmeverest@yahoo.com	

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Print name	Signature	Address	Phone	e-mail	✓ I can help
Lynn Coffin	Lynn Coffin	69 State St	207.699.4122	lcoffin2000@yahoo.com	
Katie Mahoney	Katie Mahoney	494 Downing Av.	207 807 8490	KRM35@gmail.com	
Chelsea Anderson	Chelsea Anderson	7 Huntress St Apt 5	207 807 0385	ChelseaCAnderson@me.com	
Lynne Nichols	Lynne Nichols	14 Quebec St Apt 3		lynnnichols@gmail.com	
Frank Barriere	Frank Barriere	10 Sylvia Rd PTD			
Ann V. Dunbar	Ann V. Dunbar	16 Wilson St PTD			
Dyan Alban	Dyan Alban	11 Arthur St PTD			
Eian Kumagai	Eian Kumagai	23 Pembroke St Portland ME	310-869 5403		
Wendy Flynn	Wendy Flynn	47 Glenridge Dr Portland	879-4084	wflynn1@yahoo.com	
Lisa Weldon	Lisa Weldon	52 Coyle St Portland	761-7211		
Michael Weldon	Michael Weldon	52 Coyle St Portland ME	761-7211		
Kathy Strange	Kathy Strange	37 Wilkie St.			

*

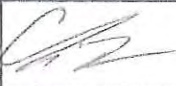
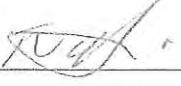
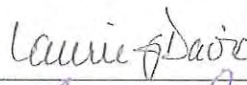
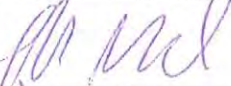
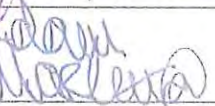
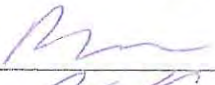
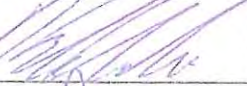
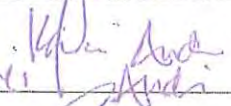
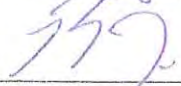
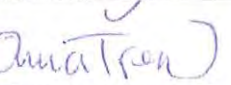
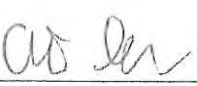
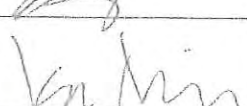
Petition to Portland Planning Board and City Council

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105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

10/19

Print name	Signature	Address	Phone	e-mail	✓ I can help
Chris Brown		105 Gilman St Apt 4	774-6047	ChrisJB200@yahoo.com	
VALOIE		37 Smith St	761-9693	Valoie@hotmail.com	
NELSON		2 Kennedy	761-3815		
Laurie Davis		134 Oakdale St	838-5201	eljd74@maine.rr.com	
Jenny McEdward		199 Stevens Ave Portland, ME 04102	207 274 3149	jennifer.mcedward@gmail.com	
Adam Martella		98 Grant St.	207-604-0494	adamd.martella@gmail.com	
Patrick Banks		19 Melbourne St #2		pib1978@gmail.com	
Kyle Andrei		9 Dow St. #2	(317) 490-3842	kyleandrei@gmail.com	
Kainulau Anderson-Andrei		9 Dow St #2	(812) 390-1251	kainulau.andersonandrei@gmail.com	
Ben Chipman		5 Mayo St. #3	(207) 318-4961	KateChipman@gmail.com	
Annatreversan		51 Myrtle St	699-4141	ajtrever@gwi.net	N
Chris Shorr		240 Harvard St.	210-2267	CShorrphotography.com	
Simon Thompson		123 Woodfield Rd.	838-7147	thompson.simon@gmail.com	
Lucas Desmond		39 Clark St	615-7893	lucasdesmond@gmail.com	
KARINA KAPRIER		130 DANFORTH ST #2	207 406 6023	KarinaKaprier@gmail.com	

#2

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

Margie Fawcett (W.M.)

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.parker@gmail.com	
Jo Anne Richio	<i>Jo Anne Richio</i>	3 Braddish Ct	207-838-2519		
Michelle Richio	<i>Michelle Richio</i>	5 Braddish Ct	"	MRichio@gmail.com	
Fred Barnato	<i>Fred Barnato</i>	85 Beckett St	774-3163	OPUS2@gmail.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		wannabehurst@gmail.com	
NATE WOODIN	<i>NATE WOODIN</i>	29 J. A. SWAN	614-548-0213		
Len Woodin	<i>Len Woodin</i>	" "			
Michelle Ames	<i>Michelle Ames</i>	259 W. Park St.	N/A	Marpetmich@gmail.com	
Sam MATROSEAN	<i>Sam MATROSEAN</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	cms111ar@gmail.com	
Alex Steel	<i>Alex Steel</i>	128 North St.			

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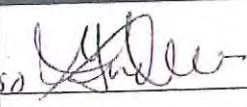
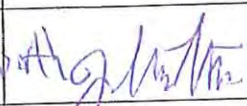
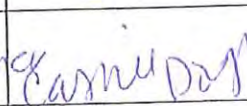
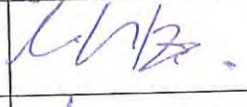
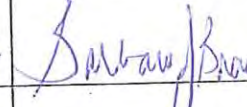
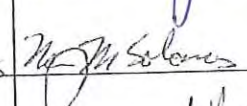
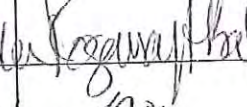
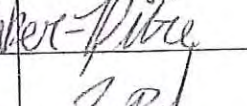
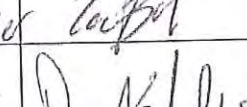
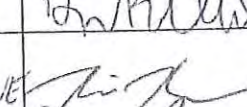
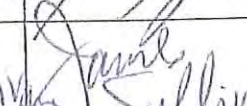
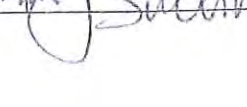
Print name	Signature	Address	Phone	e-mail	✓ I can help
Charlotte Hurley No Rec LST	Charlotte Hurley	Rec LST	Rec LST		
Meghan Scribner	Meghan Scribner	33 Kenwood St	PHd		
Celeste Band	Celeste Band	197 Prospect	PHd	celeste.band@maine.edu	
Dorothy Conforti	Dorothy Conforti	11 Old Barn Ln Portland 04103			
Mike Collier	Mike Collier	97 Montrosso PTld	PTld	Mike Collier	
Tammie McLaughlin	Tammie McLaughlin	7 Cadman St			
Jame Bevo	Jame Bevo	85 Cadman St			
Alexandra Legere	Alexandra Legere	97 Danforth St.		alexandra.legere1@gmail.com	
John Barry	John Barry	22 Bramblewood			
Paul Newner	Paul Newner	139 Pitt St		PNEWNER@NORUM-PP.COM	
Anne Wadleigh	Anne Wadleigh	19 Paris St #9			
Brian D. Linn	Brian D. Linn	66 Grant St			
Mike Stewart	Mike Stewart	100 Commonwealth Dr.			
John Ditt	John Ditt	4 Allison	878-4485		
James Hely	James Hely	27 Stok	207-832-3251		

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

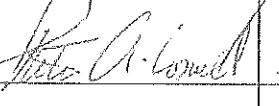
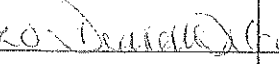
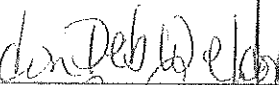
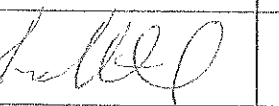
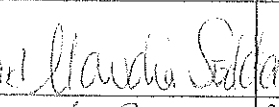
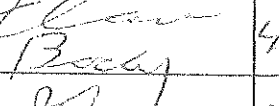
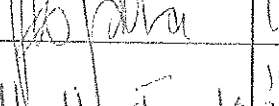
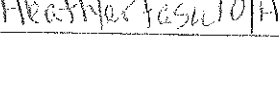
Print name	Signature	Address	Phone	e-mail	✓ I can help
GARY MARCISSO		6a Vesper St	761-1949	gmarcisso@yahoo.com	
Linda Burns		49 Austin St		linda.lmhorne@aol.com	
Bruce Stone		49 Austin St.		J	
Jason Went		42 Hammond St.	775-1050	jwent@gwinet	
Sandrine Chabot		" "	" "	" "	
Cassie Doughty		17 Stevens		cfish@yahoo	
Aaron Cloutier		105R BRACKETT	450-3737	aaron.cloutier@gmail.com	
Barbara Brady		119 morning St	413-454-8990	bjbrady55@yahoo.com	
Akin Solomons		400 woodford St	775-2570	nan.solomons@gmail.com	
Rosemary Baker		1399 Congress St.	507-1461	rosemaryb66@gmail	
Elizabeth Baker-Pitce		1399 Congress St.	807-1860	izatastical@gmail.com	
Thomas Bader		96 Gay St.	712-9070	J	
Dan Killet		90 GRAY ST	874-7014		
KEVIN KAYNE		1 ALICE ST	939 9815	KKayne@me.com	
Jim Sullivan		87 Douglas	8791675		

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
Garland P. Conkey Jr		71 Ashbur St	775-1515	garlandpconkey@gmail.com	
Patrick Connell		54 Penwith Rd	772-7198	patrick.connell201@gmail.com	
Diante Diconzo		54 Penwith Rd	772-7198		
Deborah Weldon		592 Allen Ave Port			
Chris DiPietro		221 Virginia St.	Port.		
Mary Stedwell		47 Frederic St	Port 450-562	me991cmj@aol.com	
Claudia Shetler		"	"	TravisShetler@aol.com	
Theresa Truitt		9 Dalton St		TomRox.HS@joh.com	
Paula Ashton		132 Brighton	828/1159	Pashton64@yahoo.com	
John Lazzarone		46 WATERVILLE	8 ✓	JRLB@maine.rr.com	
DAVID BODY		46 WATERVILLE	578 5609	DavidLBody1937@hotmail.com	
Jonathan Brown		21 Bowland St	615-1185	jfbrown@gmail.com	
Nickie Brown		21 Bowland St.	415-0494	nbwhite71@yahoo.com	
Sophanie Salas		6 Richardson	632-7622	N/A	
Heather Tasulo		165 Gilman St. Apt. 4 Portland Me 04103	774-0047	N/A	

Me 04103

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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
Diane Mahan	Diane Mahan	36 Northwood		dcm@tanksunited.com	
John Mahan	John Mahan	36 Northwood	798-1499	JohnMahan@tanksunited.com	
Charles H Cobswell	Charles H Cobswell	147 Pine St Portland, ME	761-0413		
Katherine Earley	Katherine Earley	29 William St Portland, ME	773-7486	Kate 317 Dmaine pr. 100	
George Earley	George Earley	29 William St Portland	773-7486	George Earley George Earley@maine-ra.com	
Jandra Dadiego	Jandra Dadiego	30 Pierce Ave Portland	775-4480		
Tony Cavallaro	Tony Cavallaro	30 Pierce Ave Portland	773-5712		
Pat Dadiego	Pat Dadiego	30 Pierce Ave			
Vicki Lankin	Vicki Lankin	96 Federal St #4	253-6023	IRISHASSOCIATION@YAHOO.COM	
Claire Panagakos	Claire Panagakos	63 Rowe Ave Portland	207-772-5813		
Thomas Panagakos	Thomas Panagakos	19 Rowe St Portland			
Patricia	Patricia	19 Rowe St Portland	761-7080		
Helen Lewis	Helen Lewis	100 State St	541-2688		
Colleen Siebel	Colleen Siebel	Cum gratia			
Krista Bullock	Krista Bullock	Veep			

Ross

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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
Alexis Joy	[Signature]	33 Summer St	671-4795	✓	
AYLA ZEIMER	[Signature]	15 Cumberland Ave		—	
Tim Manning	[Signature]	15 Cumberland Ave		—	
Kendra Mac	[Signature]	McNeill St	240 Valley St		
Ron Barbo	[Signature]	73 Western Ave	502-0209	✓	✓
Brandon Lloyd	[Signature]	104 Oak St, apt 25			
Joanne Vandermust	[Signature]	53 Bab Hey Ave, Portland	797-5212	Vanderjoan@yahoo.com	
BARBARA WOOD	[Signature]	125 EMERY ST	871-1555	—	—
Paul Olds	[Signature]	2 Poe St	7751470		
Trish Macomber	[Signature]	24 Cranley St.	332-9573	erishmacomber@hotmail.com	
Charles Crumrine	[Signature]	40 Hamblet	653-5727	—	
Stephanie Thomas	[Signature]	62 Glen Haven	272-4272		

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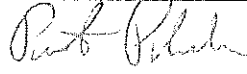
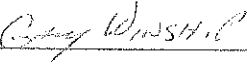
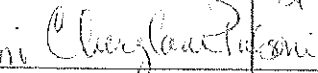
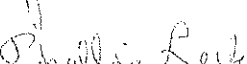
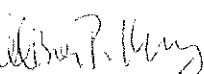
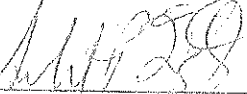
Print name	Signature	Address	Phone	e-mail	✓ I can help
MIKE HEATERS	Mike Heaters	82 PARK AVE # 4	207 - 776 9003		
Betty Campbell	Betty Campbell	116 Grafton Ln	775-288		
Alan Chebster	Alan Chebster	37 Glenwood	—		
John Heneey	John Heneey	154 Francis			
Beth Hartman	Beth Hartman	28 St George	232-0749		
Joan Bullock	Joan Bullock	206 St George	773-0848		
Kristin Sweeney	Kristin Sweeney	167 Caleb St	772-1490		
Ashley Edmondson	Ashley Edmondson	41 Pitt St.			
Richard Edmondson	Richard Edmondson	41 Pitt St			
CHRISTINE WISSLEY	Christine Wissley	115 HOBART ST	772-2613		
Bill Burns	Bill Burns	139 William Portland ME	513-428 0020		
LARA BURNS	Lara Burns	139 William P. Portland ME	315-534 5171		
ARTHUR VANDERBURGH	Arthur J. Vanderburgh	193 EDWARDS PORTLAND	772-3291		
Judith VanDerburgh	Judith VanDerburgh	193 Edwards Portland St	772-3291		
Hugh Tarr	Hugh Tarr	290 CAPITAL ST Down Town, ME	772-3226		

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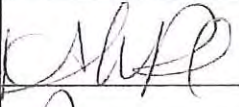
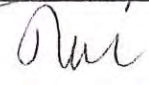
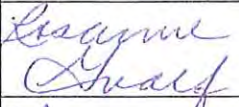
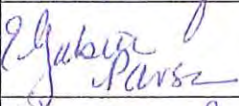
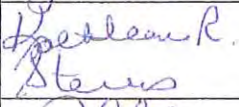
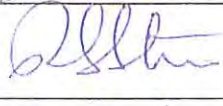
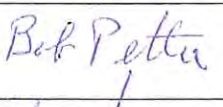
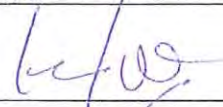
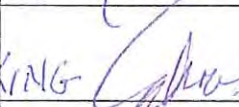
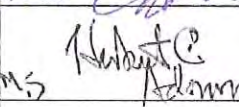
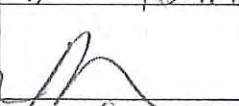
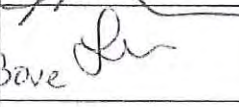
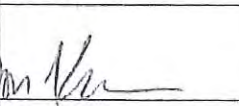
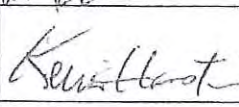
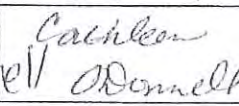
Print name	Signature	Address	Phone	e-mail	✓ I can help
Peter Planché		138 Summit St	878-0508	_____	
Jeff Brewer		5 Pine Loch Dr	786-8646		
Kathy Brewer		5 Pine Loch Dr.	786-8646	kathycasale brewer@yahoo.com	
Mary K. Weston		35 Wendenike St	_____	dirtgirl1@aol.com	✓
David Victor		35 Brook Rd	899-2573		
Gary Winslow		17 CHAPMAN ST	797-3628	GWINSLOW@CHAPMANST.ME.COM	
Cherylann Pukoni		21 Greenwood Ln	801-7087	cpukoni@maine.net.com	
JOHN LEEKE		26 HIGGINS ST. PORTLAND	773-2386	JOHN LEEKE@ HISTORICHOME- WORKS.COM	
Phyllis Leeke		26 Higgins St Portland	773-3522	Phyllis C PhyllisLeeke.com	
Erin Devlin		71 Read St.	775-5689	erdevlin@yore schools.org	
Jodelle Austin		41 State St.		docean@usa @gmail.com	
Alison Kennedy		54 Richardson		apkenwa@ wake.me.com	
John Zook		21 HANOVER ST	_____	JZOOK212@ gmail.com	
MIAO LIN		21 HANOVER ST. APT 1		mmdanglin@yahoo.com	
Gil Doughty		112 Rockland	879-9235	gdough61@yahoo.com	

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
Ashley Parson		240 Brighton Ave. Portland	401-360-5903	AshCarm@gmail.com	
John Edar		101 Gray St.	Portland ME	Johnichaeleder@gmail.com	
Rosanne Graef		30A Salem St.	Portland ME	rgraef@gw.net	
Elizabeth Parsons		44 Winter St	899-2206		
Kathleen R. Stevens		260 Vaughan St	780-6750	Penney.Stevens@maine.rr.com	
Richard Stevens		260 Vaughan St.	780-6750	dick@stevens.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	robyn.tucker@yahoo.com	
Lauren Schaefer-Bove		91 Penn Ave Portland ME 04103	207-329-9588	lschaefer@yahoo.com	*PE
Kisha Mason		401 Brighton Ave #4 Portland, ME 04102	207-807-2722	mashonkishi@yahoo.com	
Kevin Hanstine		23 Grafton St. Portland 04103	561-400-8854	KHANSTINE@PINE-RIDGE.COM	
Cathleen O'Donnell		113 North St Portland 04101	207-310-9685	occasionalcheer@gmail.com	

PRC

* Lauren - Portland PD - Pro
Mary Demorey

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

M. Amy Rivers

Print name	Signature	Address	Phone	e-mail	✓ I can help
Earl Anderson	<i>Earl Anderson</i>	571 Emery ^{Emery} St Portland	—	—	—
Phonse Allen	<i>Phonse Allen</i>	123 Ray St Apt	—	—	—
Eda Zukic	<i>Eda Zukic</i>	10 White Birch Lane Portland ME 04103	—	edazukic@yahoo.com	
Eve Nelson	<i>Eve Nelson</i>	139 Need St Portland, Maine 04102	—	evelsonst@gmail.com	
Kevin Robinson	<i>Kevin Robinson</i>	121 River St	—	—	
Barbara Robinson	<i>Barbara Robinson</i>	121 River St	—	—	
Frances Wilson	<i>Wilson</i>	259 Spring St	—	—	
Todd Denson	<i>Todd Denson</i>	615 Forest Ave	—	Denson3217@yahoo.com	
K. Ackerman	<i>K. Ackerman</i>	114 Emery St	—	—	
John Liechty	<i>John Liechty</i>	49 Bennett St	—	—	
AMY LIECHTY	<i>AMY LIECHTY</i>	49 BENNETT ST.	—	—	
Molly Anderson	<i>Molly Anderson</i>	63 Francis St.	—	—	
Toji Persman	<i>Toji Persman</i>	53 Hartley St.	—	—	
PETER WEYL	<i>P. Weyl</i>	17 BREWSTER ST. PORTLAND	—	—	
TERRY WEYL	<i>Terry Weyl</i>	"	—	—	

Letter to Portland Planning Board and City Council

Ross

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Print name	Signature	Address	Phone	e-mail	✓ I can help
Eileen Parady	Eileen Parady	One River Park, Portland	207-761-0126	e.parady@slc	
Brendan Benson	Brendan Benson	44 Beach St. Portland	774-5567		
Roger Portier	Roger Portier	142 Longfellow St	774-5338		
Susan Quimby	Susan Quimby	3 Hyde St	772-6279		
Richard Gammon		95 1/2 Frazier St	660 0520		
Reginald MacDonald	Reginald MacDonald	456 Knivige Dr	207-761-0513		
Stanley Donahue	Stanley Donahue	9 Parkworth	773-1410	slk4d@comcast.net	
Ann Archino Howe	Ann Archino Howe	76 Monument St	775-7515		
Bruce King	Bruce King	16 Richmond	207-756-5412		
Jim Parsons	Jim Parsons	38 Hartley St			
Lisa Toner	Lisa K. Toner	53 Haywood St	(207) 838-8012		
Nelson Toner	Nelson Toner	"	(207) 838-9309		

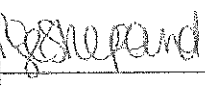
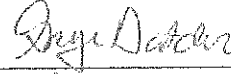
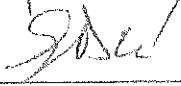
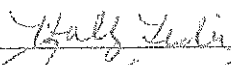
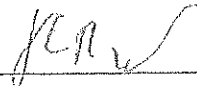
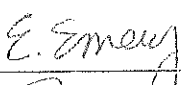
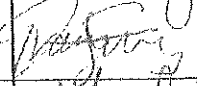
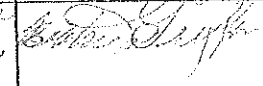
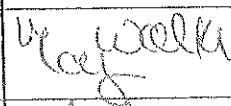
Letter to Portland Planning Board and City Council

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

2055

Print name	Signature	Address	Phone	e-mail	✓ I can help
Paige Sheppard		800 Beech Street		paige-sheppard@smulley.com	✓
Gaye Dutcher		1000 1/2 Lane			
Maria Egges		59 Monrose Ave			
Heath Paley		"			
Dean Leslie		488 Allen Ave Portland			
Holly Leslie		488 Allen Ave Portland			
Ed Ginty		46 Townsend St Portland ME			✓
Susan Picotter		87 Grand Dr.			
Elizabeth Emery		55 Sheridan			✓
Doris Emery		55 Sheridan			✓
Steven Thomas		37 Casco St Portland ME			
Beatrice Riffill		75 York St. Portland, Maine			
Mary Walker		22 Lake Ave Portland, ME			
Vicky Bowley		22 Lake Ave Portland	650-1465		
Patti Randall		424 Brighton Ave #15 Portland			

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

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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	[Signature]	41 Montreal St.	780-1004	Kevin@knowmet	
Vanessa McGroth	[Signature]	22 Montreal St	956-9619	munjoydancer@yahoo.com	
Zack Anchors	[Signature]	69 Vesper St	978-710 9225		
Stephanie Pooler	[Signature]	99 Brook Rd.	232-1085	spooler@portlandmaine.gov	
Stephanie Neales	[Signature]	80 Munjoy Hill Employee	207-650-7356	Sneales@gmail.com	
Kevin Kilmartin	[Signature]	10-A Emerson St.	207-615-8755		
LATHER FRASIER	[Signature]	13 Emerson St. #115	207-518-4584	Bonita Amos @ Yahoo.com	✓
Morgan Quinn	[Signature]	41 Howard St	978 618 0901	Morganquinn@gmail.com	
Jan Ekins	[Signature]	15 Brown St. #202 Portland	228-5274	jan.111@earthlink.net	
DALE MRS CRONIN	[Signature]	45 Eastern Ave. Portland Me 04101		DALECRONIN@CO.NEAST.ME	
KATHY LODGE	[Signature]	56 North St	4155911	K-jol@live.com	
Roychell Libby	[Signature]	85 Gray St	756-2184	RoychellLibby@live.com	
Vanessa Carmona	[Signature]	105 North St #1 Portland ME 04101	920 6962	vanacarmona@gmail.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

[illegible]

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 I 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>, <alecjaegernan@gmail.com>, <jbp@portlandmaine.gov>, <bab@portlandmaine.gov>, <jduson@maine.rr.com>, <jcoyne@portlandmaine.gov>, <kjdonoghue@gmail.com>, <dave@damfincart.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 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>, <infpb@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 <ned@portlandmaine.gov>
CC: Jill Duson <jlduson@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 <aj@portlandmaine.gov>, Jeff Levine <JLEVINE@portlandmaine.gov>, Erna Koch <ekoch4@maine.rr.com>, Rita Yarnold <cbayreal@maine.rr.com>, Stephen Gaal <Steve@gaal.com>, Vana Carmona <vanacarmona@gmail.com>, Ann Landsberg <alandsberg@aol.com>, Cliff Gallant <gallant.cliff55@yahoo.com>, Tim Baehr Ann Landsberg <alandsberg@aol.com>, Leslie Bailey <legato@ghi.net>, Maia Greco <maiaagreco@verizon.net>, Joan Sheedy <joaniesheedy@gmail.com>, Tom Kelley <thomas.kelley@maine.edu>, Bobbi Keppel <bobbik@ghi.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.

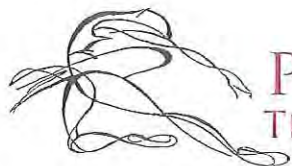
Some unpleasant realities may come into play if the current project is completed as planned. One nightmare scenario is that the new SLAC may become, like our Congress Square, an empty space as customers abandon the Arts Center because of a TDM plan that does not work, and the subsequent parking nightmare. 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



PORTLAND BALLET
THE FUTURE OF DANCE IN MAINE

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,

Leslie Gibbons
Director of Development

PORTLAND OVATIONS



July 23, 2014

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Alison Vanderhoof

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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 Oventions 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, Oventions 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

STATE
- PORTLAND, MAINE -
THEATRE

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 <hed@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 Neil,

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 lessen 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" <l.morris@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 Neil 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: Joshua Broder <jbroder@tilsontech.com>
To: "hed@portlandmaine.gov" <hed@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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Tilson is hiring! Please visit our employment page<http://www.tilsontech.com/careers/> for details.

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 goes 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: Chris White <chriswhite.ars@gmail.com>
To: <hed@portlandmaine.gov>
Date: 10/26/2014 8:50 AM
Subject: St. Lawrence Proposal
Attachments: St Lawrence_final.doc

Helen Donaldson and the Portland Planning Board

This letter is in support of the Friends of the St. Lawrence organization's plans for building a performing arts venue on the site of the dismantled church and their approach to mitigating any traffic and parking issues the operation of such a space might cause.

In 1990 my wife and I moved to the Greater Portland area. We first lived in South Portland and now reside in Windham. Portland, however, has been where we've variously been employed, operated businesses, shopped, volunteered, and participated in the social and cultural life.

A few years after we arrived we attended various charettes and public forums during the time Portland was working with a consultant seeking ways to restore economic and civic vitality to downtown Portland, especially along the Congress Street corridor. The consultant's recommendations were that city should recognize, support and build upon its strongest downtown assets, its cultural institutions, artists, and 'creative community.' The creation of the Arts District is one result of those recommendations.

Despite the economic disruption after 9/11 and 2008's Great Recession ... and from which the world, let alone Portland, has not yet fully recovered ... the 'creative community' in Portland has largely persevered, helping to keep the economy alive, if not humming. The crowds that flock to participate in the First Friday Art Walks demonstrate this every month, including those in the depths of winter.

The Friends of the St. Lawrence was formed during the mid-nineties as well. From the outset they had three goals; create a local community resource offering a diverse range of workshops and performance opportunities; preserve and renovate a wonderful, historic, building; use the restored space as a regional performance venue.

From the beginning the group has fulfilled the first of their goals, offering a wide array of programming. While it labored long and hard to do so, given the challenging economic climate preserving and renovating the sanctuary has proved impractical. Accepting the inevitable, the Friends of the St. Lawrence did the next best thing and carefully dismantled, rather than merely destroying, the old building and began planning for a replacement building of similar size and stature.

The Friends of the St. Lawrence have, for twenty years, been clear about their goals. During that time they have significantly contributed to the rebirth of the Congress Street Corridor. They've helped make the Munjoy Hill neighborhood a vibrant and economically productive asset for the city. While it would be impossible to specifically credit any particular retail shop's success or restaurant's decision to locate nearby, the existing venue has absolutely demonstrated the effects the consultants predicted would come from having solid arts organizations as neighborhood anchors.

Parking, traffic and public transit issues have been problematic and contentious in Portland at least since the time the trolley ceased functioning. To single the St. Lawrence out for unwarranted criticism, to treat what has been an explicit and integral part of their mission for twenty years ... programing a four hundred plus seat performing venue ... as if it were a newly hatched brainstorming idea is demeaning and mean spirited.

The St. Lawrence has modified and amended their building plans to address various concerns. They should have the current design accepted so the plan can move ahead. Their forward thinking and innovative approach to mitigating possible impacts the venue's visitors might have on traffic and parking in the neighborhood should be likewise be approved and supported.

With respect,

Christopher White

Windham

[copy also attached as a Word .doc file]

--

Chris White

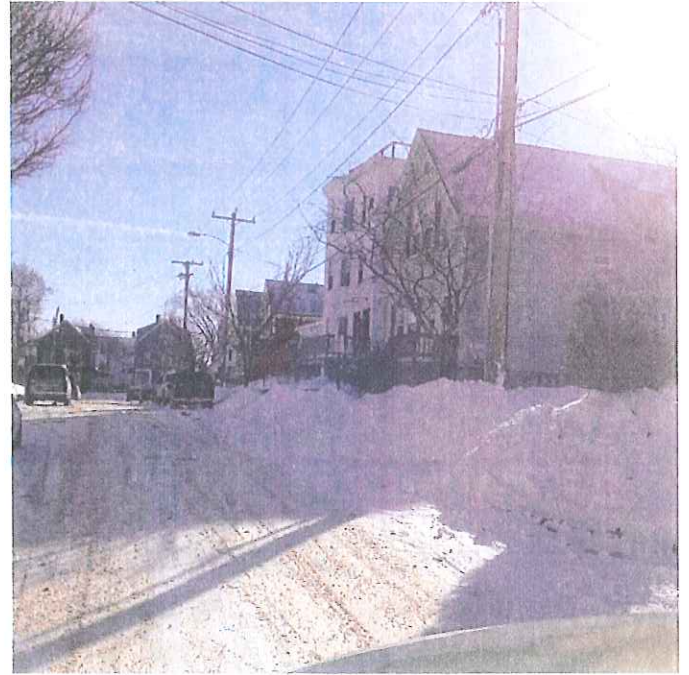
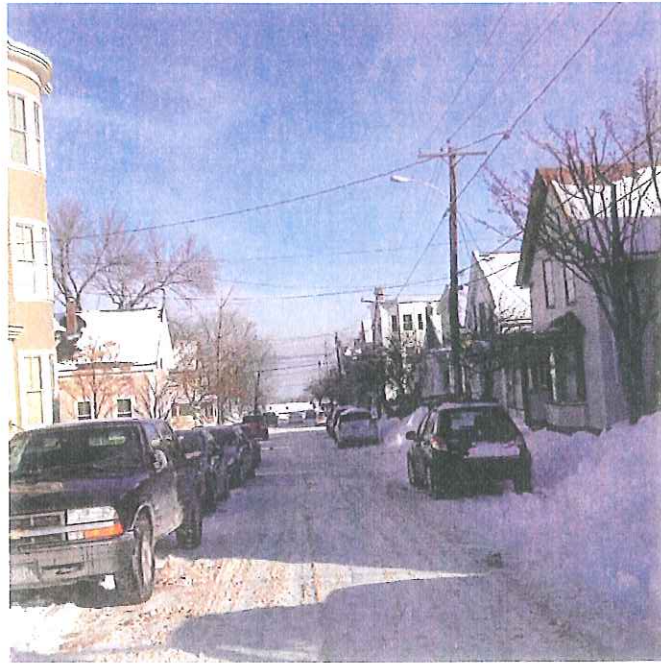
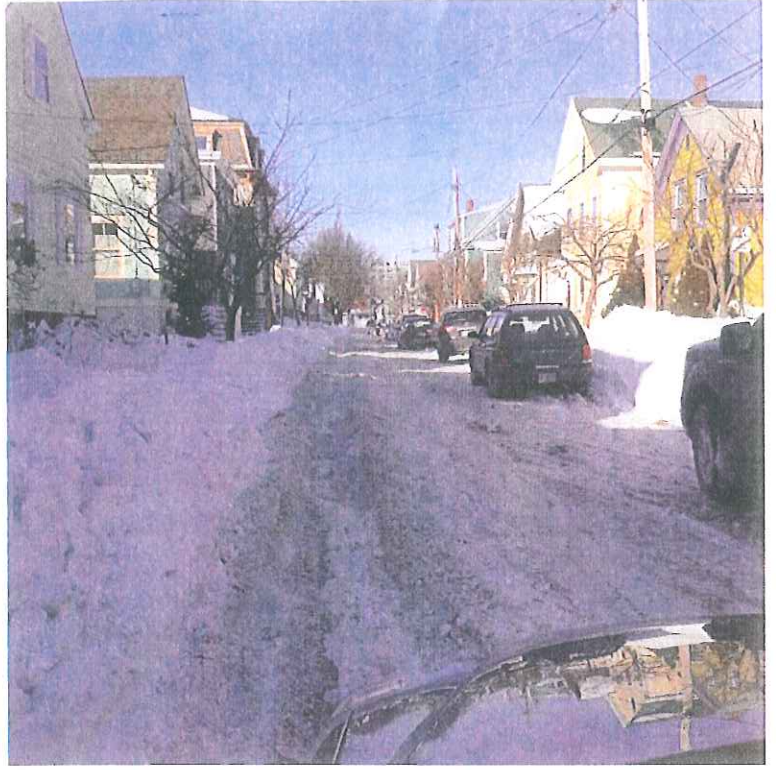
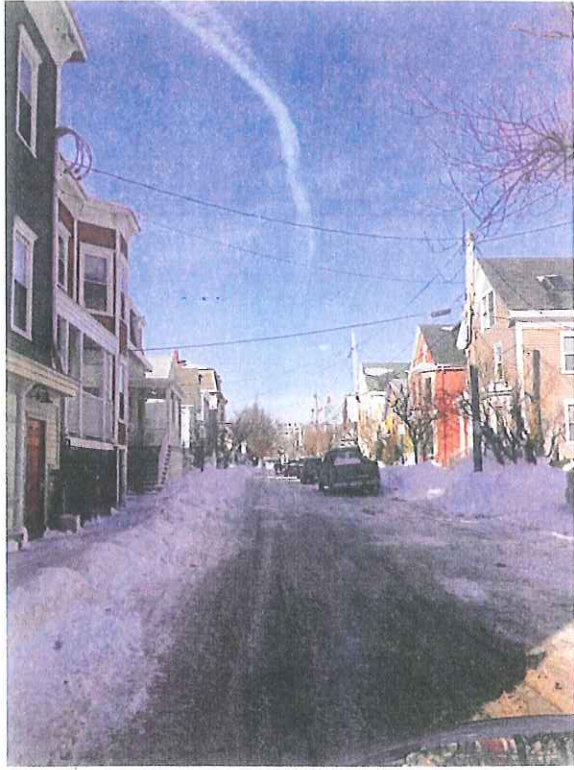
Arts Resource Service
48 Madison Road
Windham, Maine 04062
207-892-7578

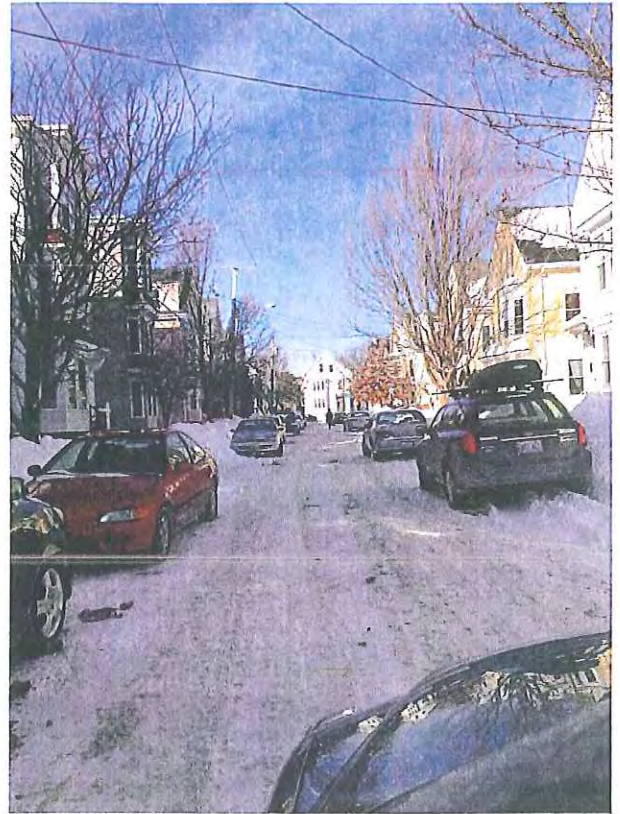
From: Kate <czmurray@yahoo.com>
To: Helen Donaldson <hcd@portlandmaine.gov>
Date: 10/26/2014 5:56 PM
Subject: Photos

Dear Nell,

Attached you will find 6 photos of scenes of streets surrounding St. Lawrence taken at the beginning of last winter. As you know conditions got worse as the winter progressed. I would appreciate it if you would print this email out and distribute it to all the planning board members so that they will have it for the meeting on Thursday. Thank you.

Picture 1 Howard St directly across from St. L
Picture 2 Slightly further down Howard St.
Picture 3 Corner of Howard/Turner St. toward the prom
Picture 4 Emerson St. facing Congress St.
Picture 5 Beginning of Vesper St. just off Congress
Picture 6 Beckett St. facing Congress St.





From: Ross or Kathleen Fields <fieldsofun@gmail.com>
To: Nel Donaldson <HCD@portlandmaine.gov>
Date: 10/27/2014 1:34 PM
Subject: St. Lawrence - TDM - clarification/correction request

Hi Nel,

I have been going over the most current TDM plan presented by Friends of St. Lawrence and believe there are some items that either require a bit more clarification or correction.

I would greatly appreciate it if these could be taken care of before tomorrow's Planning Board hearing or at the hearing itself.

They are as follow:

1. Is it correct that Gorrell-Palmer is stating that there is not a dependable, adequate supply (179 spaces available, 218 needed) of on street parking within a 5 minute walk without incorporating the use of parking in the Cutter Street lots and Cutter Street itself?

If adequate parking is not available then I strongly encourage that the current facility be re-sized from 110 to say 200 to 250 seats.

2. Under Single Occupancy Reduction Strategies - METRO Subsidies - The Metro Route #1 does not currently run at a 30 minute frequency between 7 and 8 p.m. There is a run from Congress and Elm at 6:45 p.m. and 7:13 p.m., 28 minutes apart, but the next bus is at 7:55 p.m. which is not at a 42 mins., followed 45 mins. later by the 8:40 p.m. bus. The way it is stated in the current TDM is misleading and not factual.

Note: Under the current schedule there is actually an 80 minute separation between the 9:25 p.m. bus and the last 10:45 p.m. bus heading to Munjoy Hill. Under the current schedule a theater goer attending a performance that ends at 9:30 p.m. would have to wait 1 hour and 15 minutes for the next and last bus of the evening.

3. Cost - \$70,000 is misrepresented. In the last paragraph in the section entitled METRO Subsidies, The first line implies that the frequency time will be improved to a 20 minute frequency from a 30 minute frequency and extended service for \$70,000.

I believe the actual figures as stated by Greater Portland Transit District are:

\$70,000 - improve frequency from 45 to 30 minutes

\$100,000 - improve frequency to 20 minutes

\$120,000 - improve frequency to 15 minutes

Please verify.

Of course I am assuming that if St. Lawrence is unable to pay the fee then Metro Bus can alter the service being provided? Is this also correct?

4. If the METRO Bus is going to be the "core" solution in the TDM plan incorporating parking facilities in downtown Portland has anyone taken a close look at parking availability and cost?

CBRE Portland Public Parking, 54 Elm, M-F 7:00 a.m. to 6:00 p.m. S-S
Closed
Top of Old Port 11 Pearl M-F 6:30 a.m. to 6:00
p.m. S-S Closed
Municipal Parking 21 Elm M-F 6:00 a.m. to 10:00
p.m. Sat 8 a to 10 p Sun closed
Cumberland County Parking 240 Newbury M-Sun 24 hour
MHR Temple St. Garage 11 Temple M-Sat 7 am to 12 mn Sun
Noon to 12 mn
MHR Custom House Parking 25 Pearl M-Th 7 am to 11 pm, Sat to 12 mn,
Sun to 9:30 p.m.
One City Center Parking 41 Free St M-F 6:00 a.m. to 10 p.m., Sat
9 to 4 p.m. Sun-closed

Fore River
to 12 mn, Sat to 12 mn

28 Free St M-Th 6:30 a to 7 p, F

It varies with these facilities on payment method from "cash only" to "cash or credit card". Also if you happen to get to the parking garage after it closed there is a \$25 after hours release fee.

Here is a screen print of the lots available and costs if parking between 6:30 p.m. and 10:00 p.m. This is based on a 7:30 p.m. show time.

www.bestparking.com/portland-maine-parking/

[image: Inline image 1]

5. This is more of an observation. At present St. Lawrence is not taking any pro-active role in encouraging (the word "encourage" is used a lot in the TDM) its patrons to use the bus. It would seem that you would want to start sooner than later in the changing of human behavior.

As I continue to work with this issue I keep going back to a basic principle of sales and marketing: if your product or service is not convenient for your customer to use or obtain they won't be your customer for very long. Is this TDM and the issue of parking making it more or less convenient for St. Lawrence theater goers?

This TDM is more of an experiment than a plan.

Thank you for the continued effort and dedication put forth by you and the Planning Board in this matter.

Sincerely,
Ross Fields
46 Turner Street
Portland, Maine 04101

From: robert clarke <kidrob13@hotmail.com>
To: "HCD@portlandmaine.gov" <HCD@portlandmaine.gov>
Date: 10/28/2014 12:03 PM
Subject: St Lawrence arts center

Insane proposal. People are not going to ride the bus or their bikes from Falmouth or Cumberland or any other suburban area. I thought the point was to save the church? They destroyed the old church to be rebuilt? Really? Most definitely do not support. Robert clarke. Munjoy hill home owner
Sent from my iPhone

2
8

From: Annette Elowitch <annette@barridoff.com>
To: <hcd@portlandmaine.gov>
Date: 10/28/2014 12:18 PM
Subject: Attn: Helen Donaldson/ RE: St. Lawrence Arts Building

Dear Ms. Donaldson,

We are writing in support of the amendment to the 2010 zone agreement for the St. Lawrence Arts Building. We feel the changes and improvements to the building will be an attribute to Portland and the East End community. The plan is certainly in keeping with the changes and improvements that are happening in the neighborhood overall. Portland needs to support its venues for music, art and cultural activities as we grow as a city and a vacation destination. St. Lawrence Arts provides a space for theatre camps, emerging artists, and a venue for community theatre. The improvements and additional space could open the door to even more. We hope the City will embrace the efforts of the St. Lawrence Arts to expand and contribute to the city overall.

Sincerely,
Annette & Rob Elowitch
Barridoff Galleries

From: John Rogers <roj876@gmail.com>
To: <hcd@portlandmaine.gov>
Date: 10/28/2014 12:42 PM
Subject: 76 St Lawrence Street - In SUPPORT

Dear Ms. Donaldson,

I am writing to express my support for the proposed expansion of the St Lawrence Arts Center. I am traveling this evening and am unable to attend the hearing to express my support in person. I live at 35 Congress Street, two blocks east of SLA.

I do not believe that scale of the project or its design are inappropriate for this area of Munjoy Hill. As a resident of the Hill, I welcome the expansion as an important part of realizing the City's vision for the expansion of the arts corridor. The proposed expansion is a great addition to the Hill, the Portland arts community, and Portland in general.

Thank you.

John

John Rogers

Planning Board Hearing
Portland, Maine
October 28, 2014

I have extensively reviewed the TDM plan (experiment) and input to this plan by other contributors and each time I am challenged to see any real solution(s) based on actual facts that would solve the problem of parking a potential of 281 vehicles in a residential neighborhood where no parking lot or garage exists.

I become increasingly skeptical that an actual solution is being sought when it is stated in the TDM that, "St. Lawrence Arts is proposing that the core of its TDM be a partnership with Metro [Bus]".

Explain to me how busing, at most, 15 theater goers per performance, reducing needed parking spaces by approximately 7, is a "core" solution to the parking issue.

The value of 15 theater goers using the bus per performance was arrived at using the data from survey forms handed out and collected from SLA theater goers. The surveys indicated that 0% to 3% of theater goers used some other form of transportation other than car, walking or biking. These were the same surveys used by the transportation consultants to establish the vehicle per attending patron ratio.

I appreciate the Metro Bus system and all the changes and improvements they have planned in the years to come. I am not sure if these improvements will be sufficient enough to change the current human behavior of driving to an event and looking for the closest parking space possible.

My wife and I recently went to a Sea Dogs evening game. Since we have no vehicles we road the #1 down Congress and walked the couple of blocks down to the stadium. After the game we figured we would wait outside of the stadium for the #5 and then switch to the #1 at Congress and Elm. It didn't happen. We ended up walking home to the Hill from Congress and Elm. My point though is that we were the only people standing at the bus stop in front of Hadlock Field, after a sold out game, after the parking lots had emptied and the lights were being turned off at the stadium. I believe the same is going to hold true for those attending events at SLA, they are going to drive.

I appreciate the vision and effort put forth by SLA, but I don't envy them for having to work so hard at attempting to change the transportation choices made by their customers. Even if they were able to double the current percentage of people choosing to ride the bus to the theater it would only account for a reduction of 14 parking spaces leaving the demand at 204.

Parking will not be SLA's biggest problem. Not having sufficient funds to maintain yet another building will be the challenge.

Ross Fields
46 Turner Street
Portland, Maine 04101

From: Ross <fieldsofun@gmail.com>
To: Nell Donaldson <HCD@portlandmaine.gov>
Date: 10/28/2014 9:36 PM
Subject: SLA hearing

If their books are balanced where is the need for an additional \$160k needed for maint and repairs to Parish Hall. Ross Fields

Sent from my iPhone

From: Ross or Kathleen Fields <fieldsofun@gmail.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
Date: 10/30/2014 8:44 AM
Subject: Re: SLA hearing

Thank you Neil, very much appreciate all that you have to go through for these workshops and hearings.

I completely understand that the Planning Board is not responsible for considering the financial viability of a business when reviewing applications. While at the same time, on paper and from a marketing and strategy - it looks like a train wreck (or bus accident) primed and ready to happen.

I was completely taken aback by the closing remarks from the final Planning Board member when he said that the Metro Bus partnership was the core of SLA's TDM, when it is clearly stated as such in the TDM.

I stand very strongly on the fact that if you make your product or service more difficult to use or acquire you won't be in business for very long. If the project were downsized I believe it could definitely work.

I chuckle to myself when the fact that because I don't own any venue is an indication that "human nature" is changing. The reality is that going to take way more than those living on Munjoy Hill who can talk to a performance to make the once community theater - now a regional theater venue - successful.

I support creating a theater of 200 to 250 seats. The neighborhood can absorb this size easily and SLA can better manage the one single facility instead of three - where only one can be reasonably scheduled at a time.

Again, thank you for all your efforts and professionalism in this process.

Sincerely,
Ross Fields
46 Turner Street
Portland, Maine

p.s. I assume this email will also added to the documents made available for council members.

On Thu, Oct 30, 2014 at 8:21 AM, Helen Donaldson <HCD@portlandmaine.gov> wrote:

> Ross,
>
> I just wanted to let you know that I continue to put your comments into the record, and that they will all be available to the Council when they consider the amendments. Right now, SLAC is tentatively scheduled to go forward for first reading with the council on 11/17 and second reading on 12/1.
>
> Best,
> Nell
>
>
>
>
> _____
> Nell Donaldson
> City of Portland Planning Division
> 389 Congress Street
> Portland, Maine 04101
> 874-8723
> hcd@portlandmaine.gov
> >>> Ross <fieldsofun@gmail.com> 10/28/2014 9:36 PM >>>
> If their books are balanced where is the need for an additional book needed for maint and repairs to Parish Hall. Ross Fields
>

> Sent from my iPhone

>

> Notice: Under Maine law, documents - including e-mails - in the possession

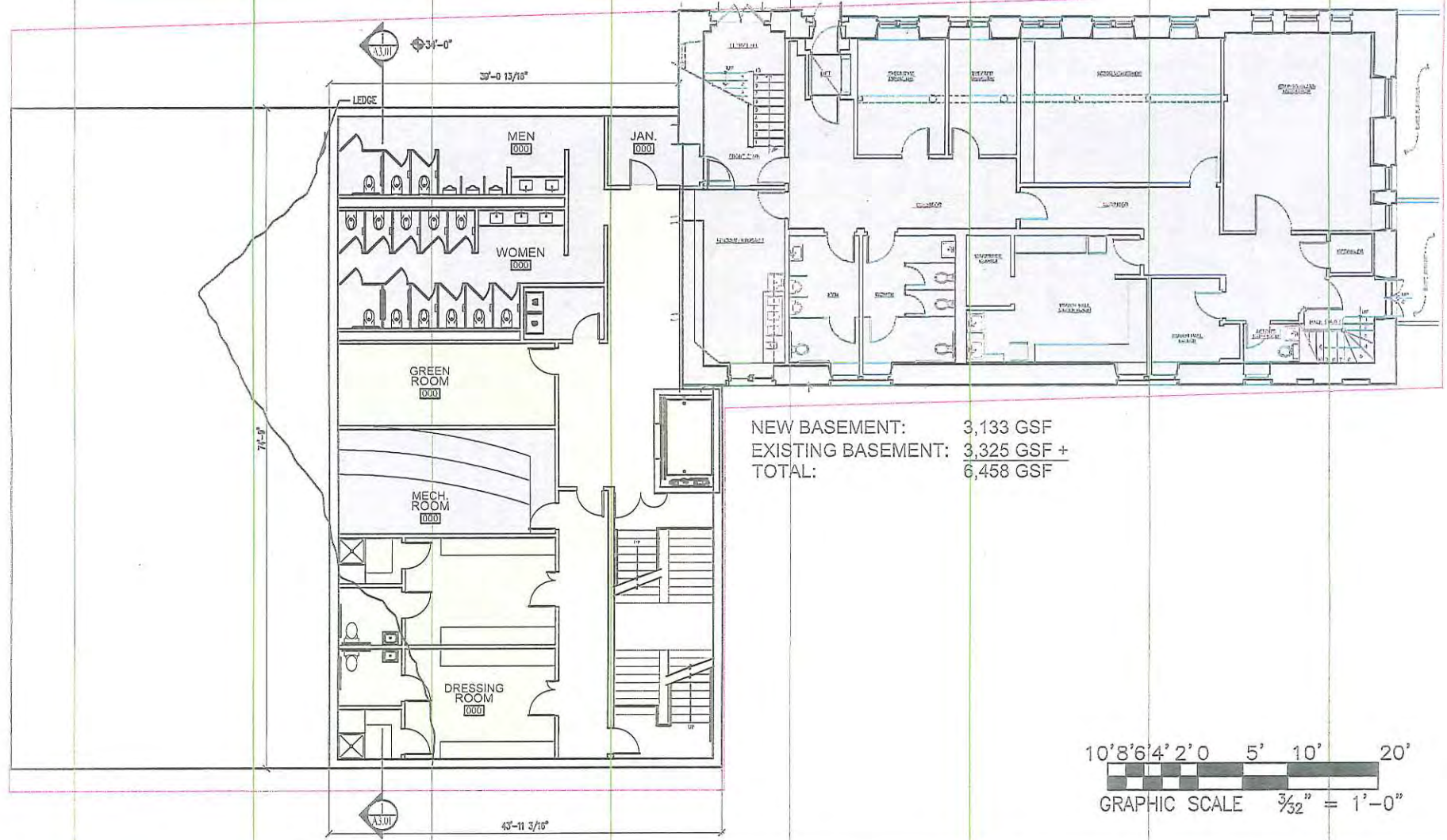
> of public officials or city employees about government business may be

> 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. --

>



Prepared for:
**FRIENDS OF THE
 ST. LAWRENCE CHURCH**
 76 CONGRESS STREET
 PORTLAND, MAINE 04101

Consulting Engineer:

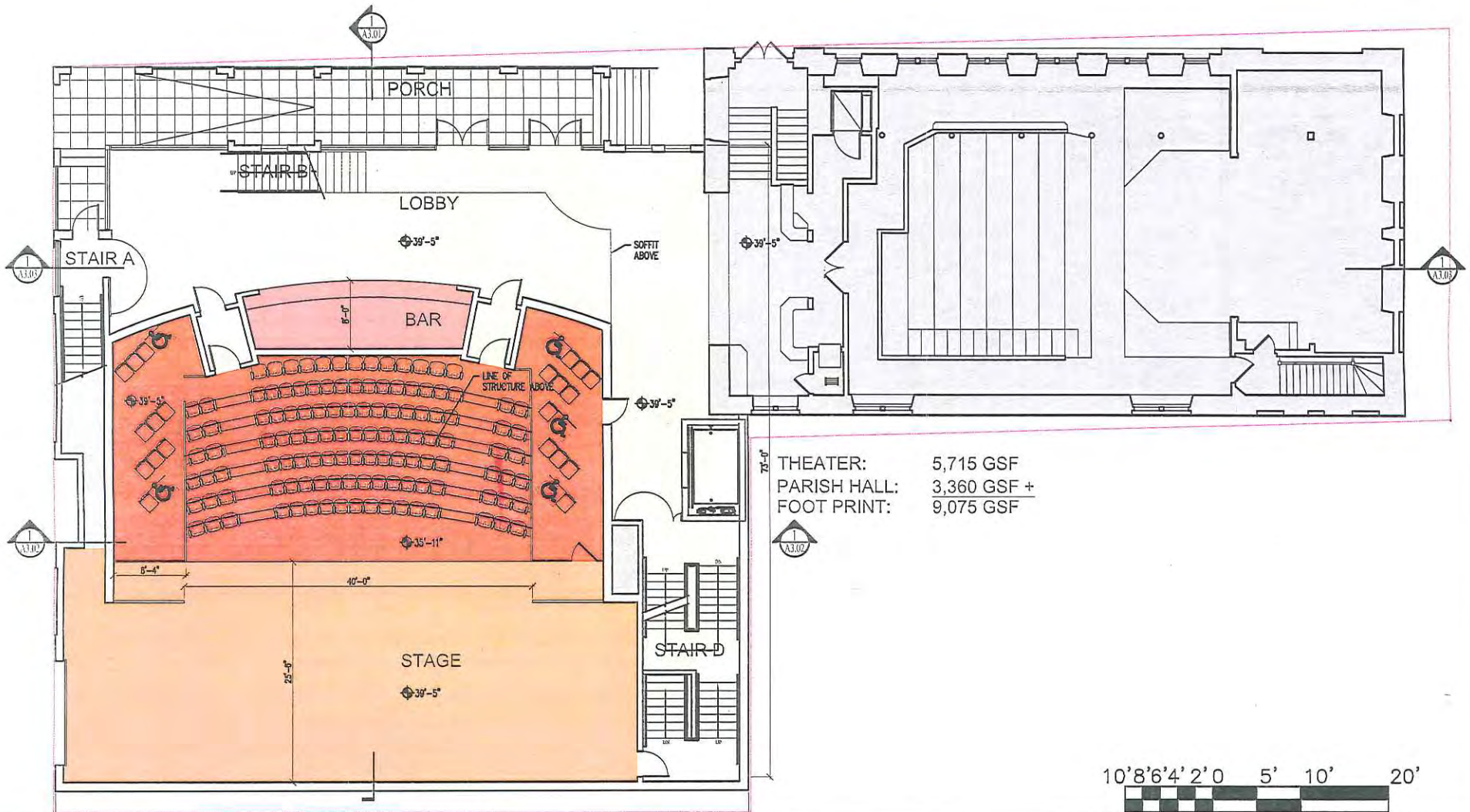
ARCHETYPE
 architects
 48 Union Wharf Portland, Maine 04101
 (207) 772-6022 Fax (207) 772-4056

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



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

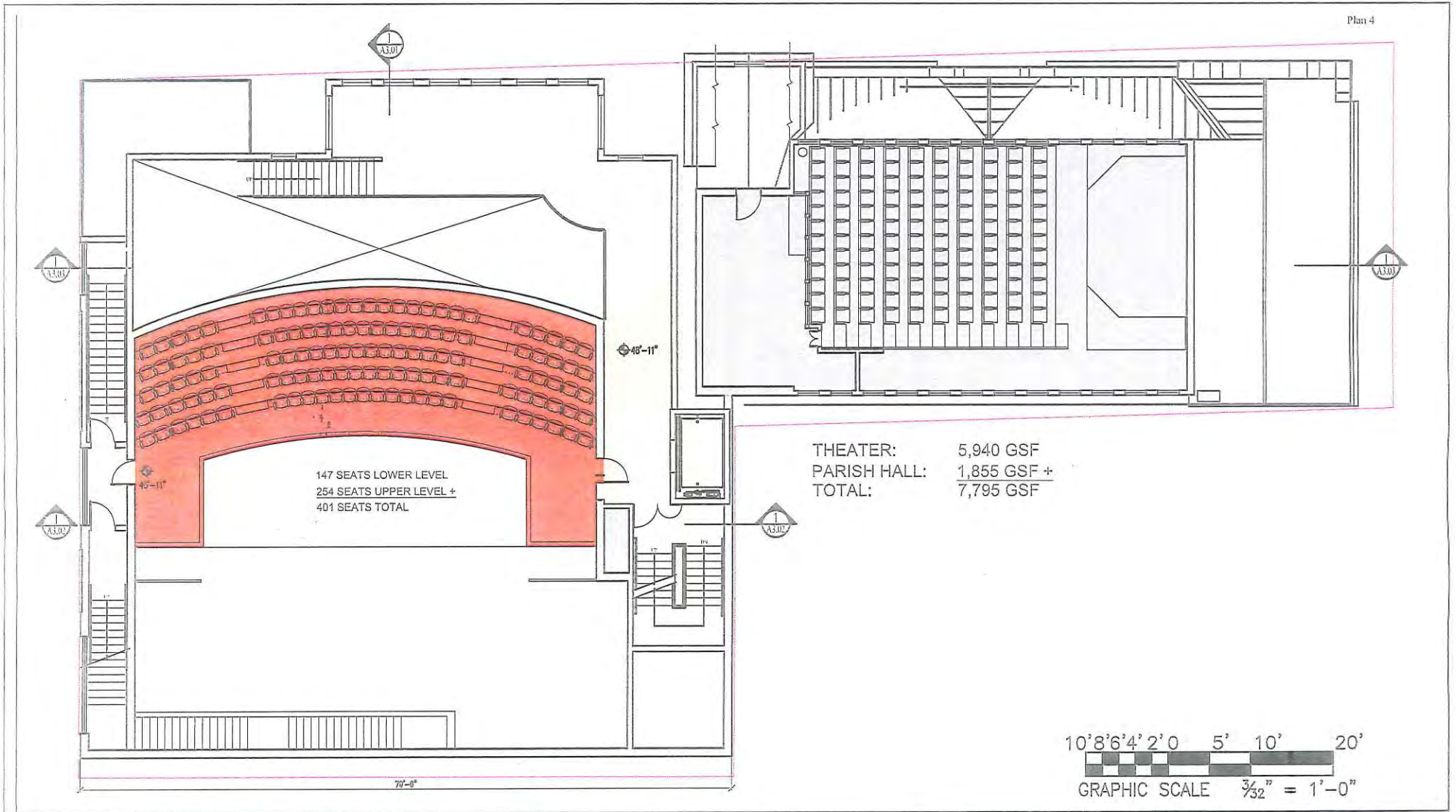
Project:
**ST. LAWRENCE ARTS
 ADDITION**
 76 CONGRESS STREET
 PORTLAND, MAINE 04101

Revisions:

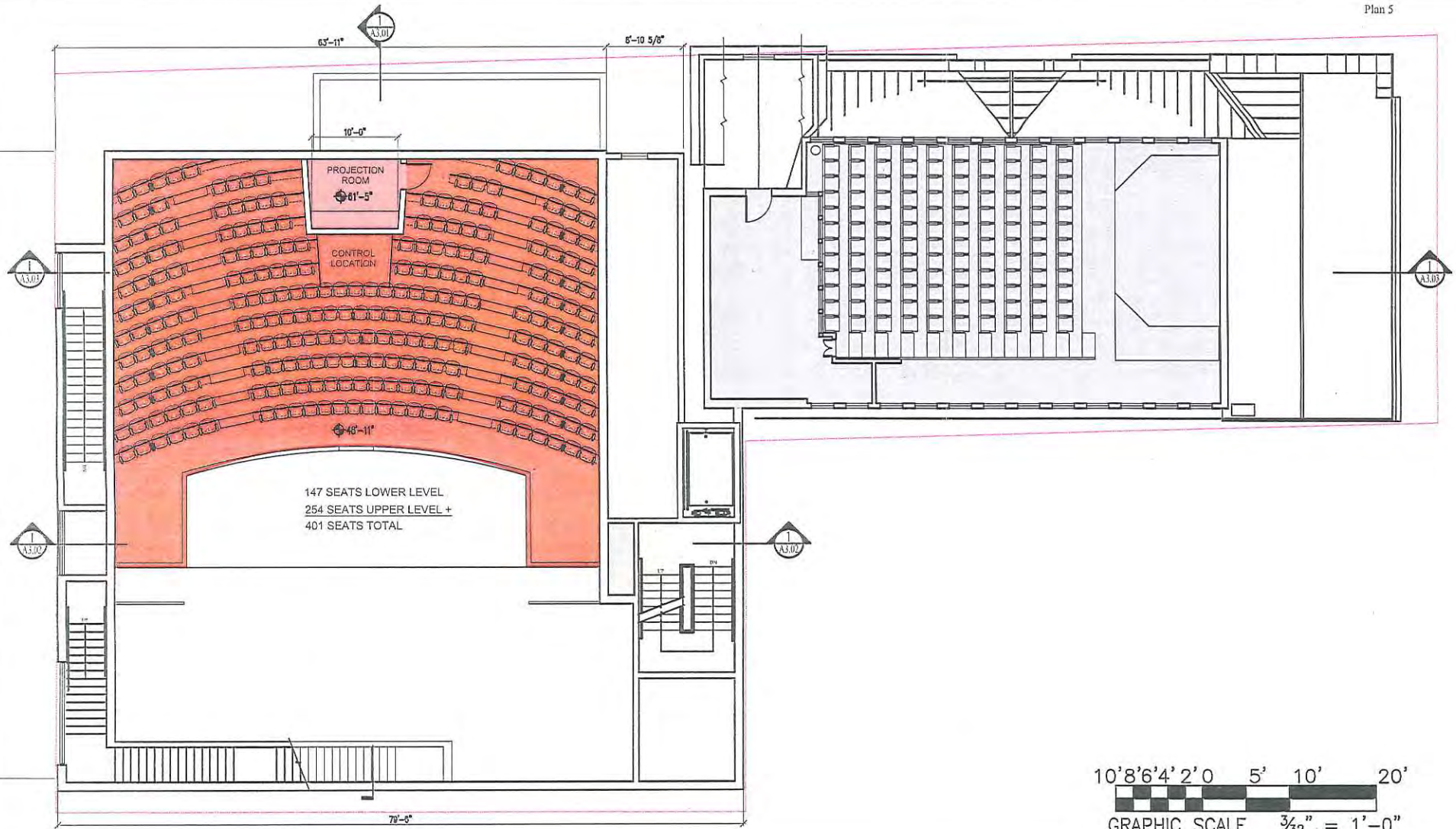
Date: 10 Sept. 2014 Scale: $\frac{3}{32}'' = 1'-0''$

FIRST FLOOR PLAN

A1.01



	Prepared for:	Consulting Engineer:	 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056	Project:	Revisions:	Date: 10 Sept. 2014	Scale: $\frac{3}{32}" = 1'-0"$	A1.02
	FRIENDS OF THE ST. LAWRENCE CHURCH 76 CONGRESS STREET PORTLAND, MAINE 04101			ST. LAWRENCE ARTS ADDITION 76 CONGRESS STREET PORTLAND, MAINE 04101		UPPER THEATER LEVEL		



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

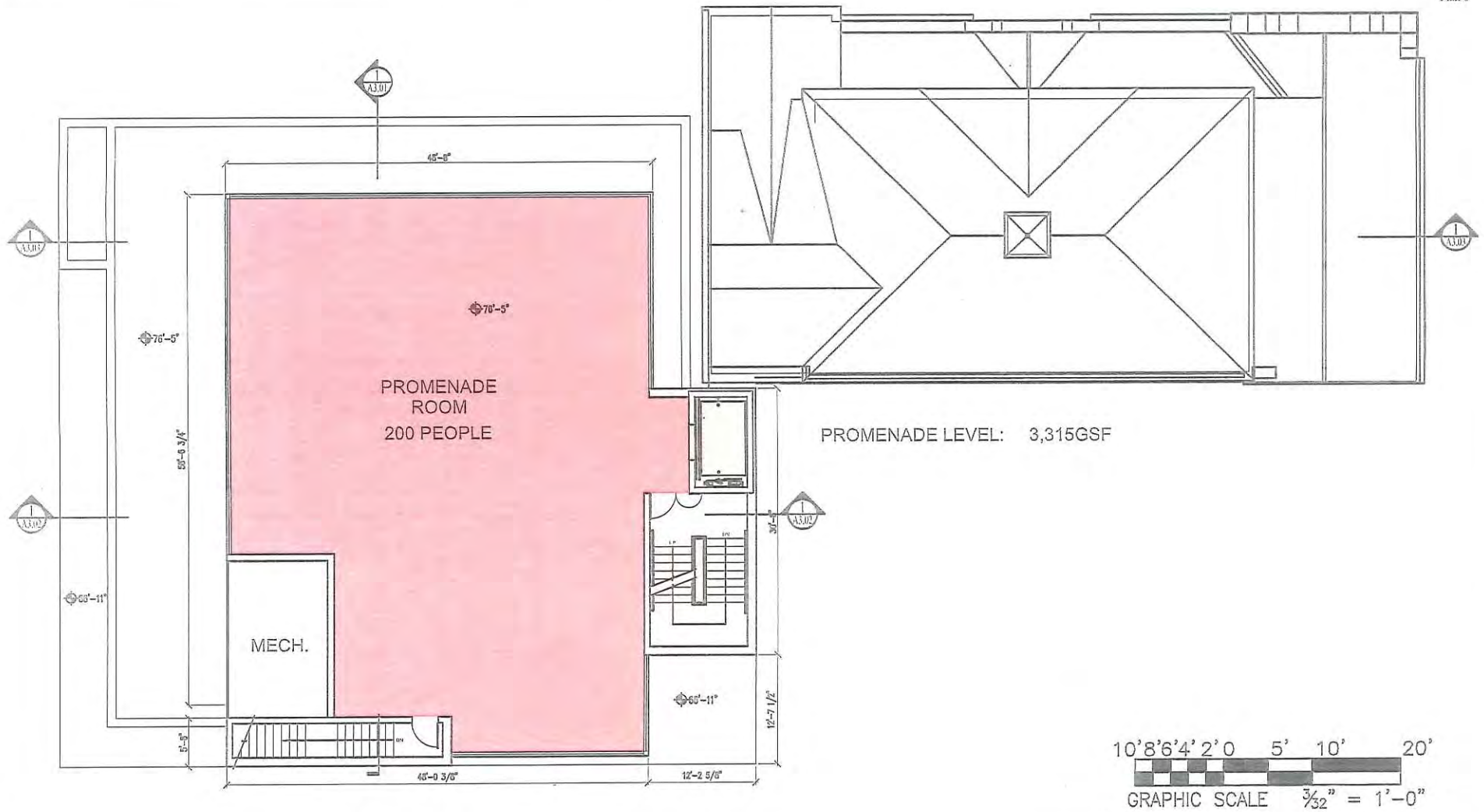
Project:
**ST. LAWRENCE ARTS
 ADDITION**
 76 CONGRESS STREET
 PORTLAND, MAINE 04101

Revisions:

Date: 10 Sept. 2014 Scale: $\frac{3}{32}" = 1'-0"$

UPPER THEATER LEVEL
 CONTINUED

A1.03



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: $\frac{3}{32}" = 1'-0"$
**PROMENADE
 FLOOR PLAN**

A1.04

GENERAL NOTES:

1. AVERAGE GRADE BY DEFINITION: 4 CORNER AVERAGE GRADE -
NW: 130'-0" + NE 134'-5" + SE 137'-0" + SW 137'-6" = 136'-9"
(AVERAGE GRADE)
2. BUILDING HEIGHT: THE VERTICAL MEASUREMENT AT THE FOUR
CORNERS FROM GRADE TO HIGHEST POINT OF ROOF BEAM -
NW 51'-0" + NE 55'-3" + SE 56'-8" + SW 52'-3" = 217'-4" 54'-0" FEET
(BUILDING HEIGHT)



10' 8' 6' 4' 2' 0' 5' 10' 20'
GRAPHIC SCALE $\frac{3}{32}" = 1'-0"$



Prepared for:
**FRIENDS OF THE
ST. LAWRENCE CHURCH**
76 CONGRESS STREET
PORTLAND, MAINE 04101

Consulting Engineer:

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architects
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4656

Project:
**ST. LAWRENCE ARTS
ADDITION**
76 CONGRESS STREET
PORTLAND, MAINE 04101

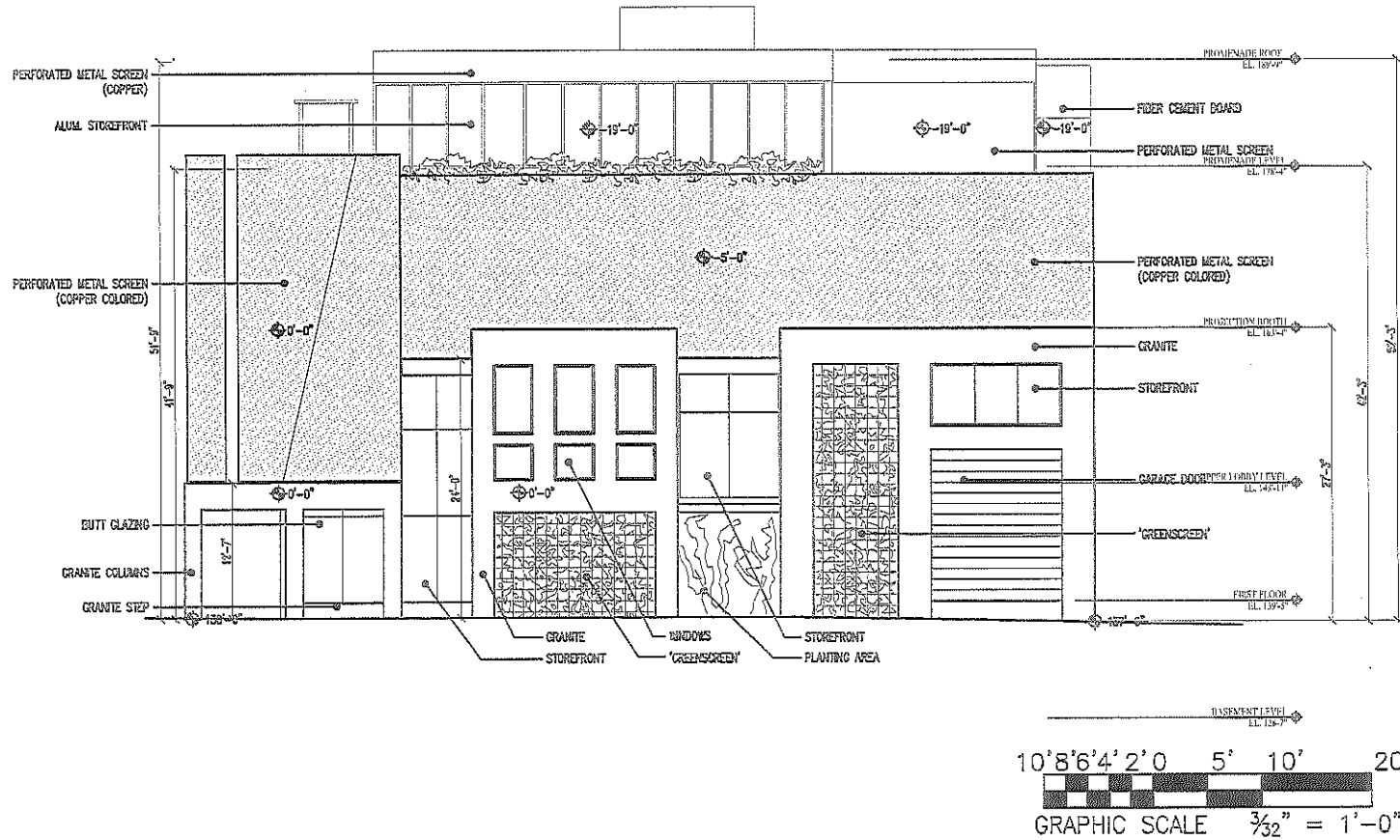
Revisions:

Date: 10 Sept. 2014

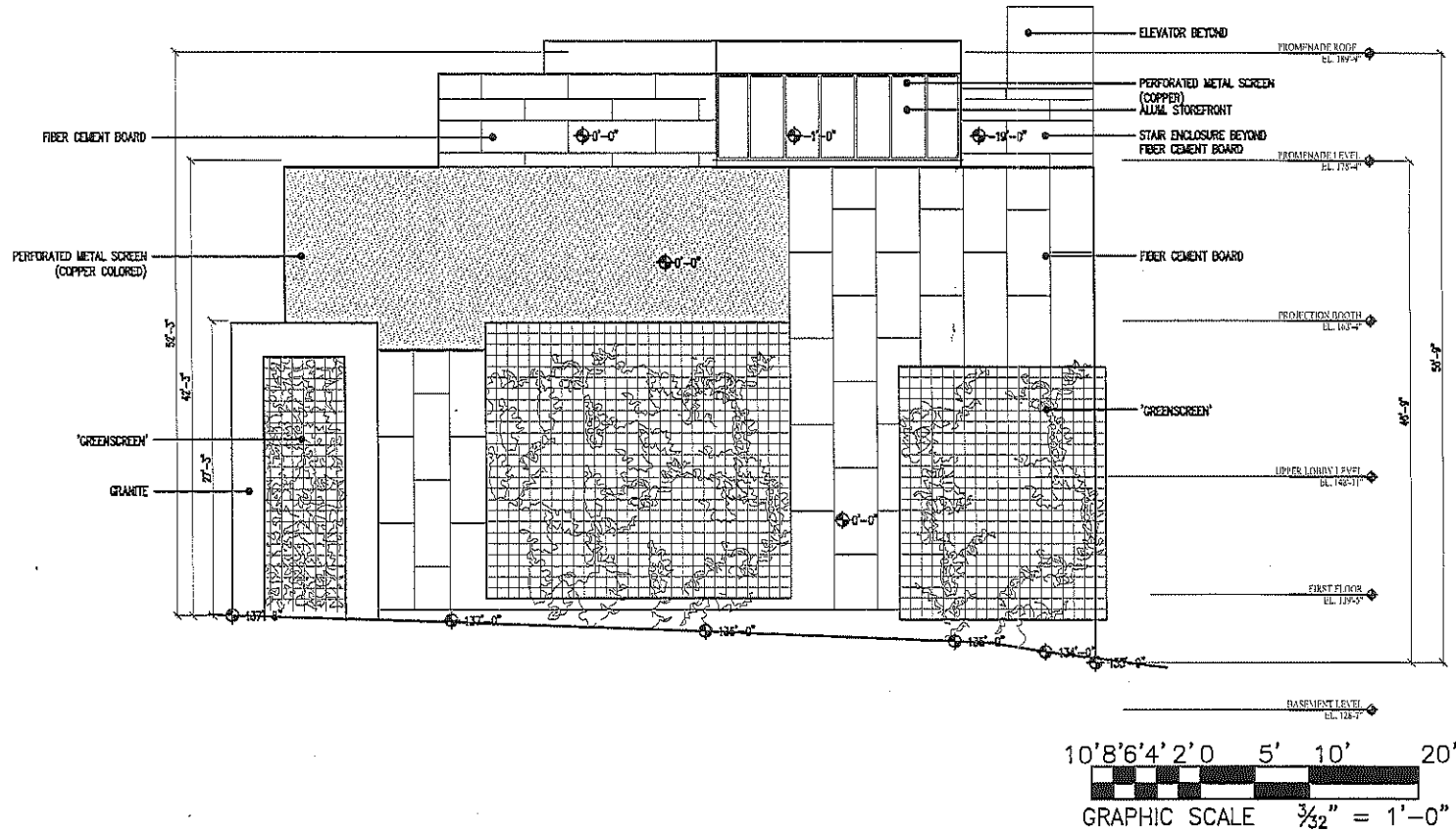
Scale: $\frac{3}{32}" = 1'-0"$

NORTH ELEVATION

A2.00



	Prepared for:	Consulting Engineer:	 ARCHETYPE architects 48 Union Wharf Portland, Maine 04101 (207) 772-6622 Fax (207) 772-4056	Project:	Revisions:	Date:	10 Sept. 2014	Scale:	$\frac{3}{32}'' = 1'-0''$	A2.01
	FRIENDS OF THE ST. LAWRENCE CHURCH 76 CONGRESS STREET PORTLAND, MAINE 04101			ST. LAWRENCE ARTS ADDITION 76 CONGRESS STREET PORTLAND, MAINE 04101			WEST ELEVATION			



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

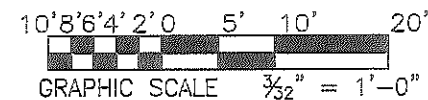
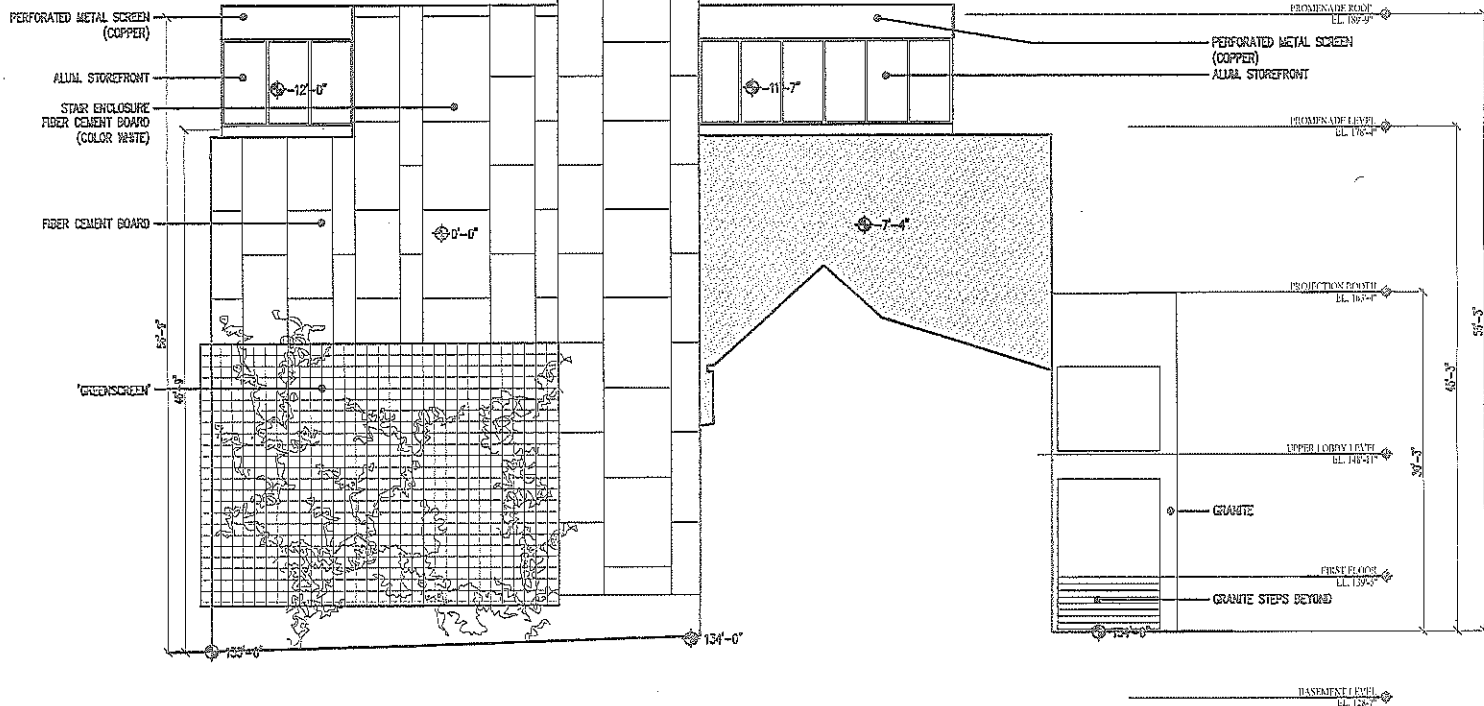
Project:
**ST. LAWRENCE ARTS
ADDITION**
76 CONGRESS STREET
PORTLAND, MAINE 04101

Revisions:

Date: 10 Sept, 2014 Scale: 1/32" = 1'-0"

SOUTH ELEVATION

A2.02



Prepared for:

FRIENDS OF THE
ST. LAWRENCE CHURCH

76 CONGRESS STREET
PORTLAND, MAINE 04101

Consulting Engineer.



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:

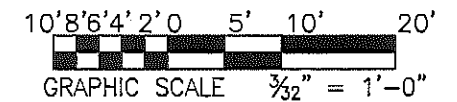
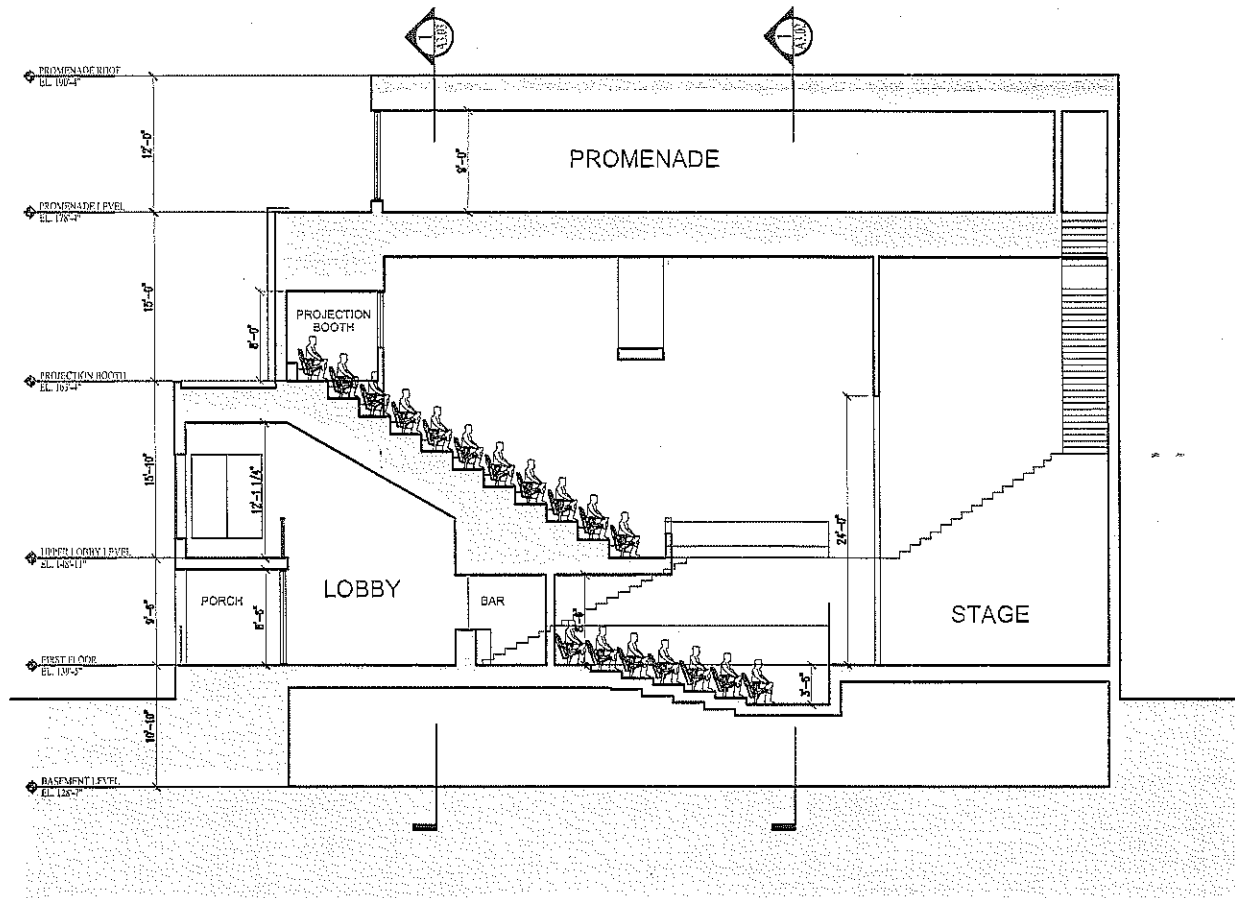
Date:

10 Sept. 2014

Senior: $\frac{3}{15}'' = 1'-0''$

EAST ELEVATION

A2.03



	Prepared for:	Consulting Engineer:	 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056	Project:	Revisions:	Date:	10 Sept, 2014	Scale:	1/32" = 1'-0"	A3.01
	FRIENDS OF THE ST. LAWRENCE CHURCH 76 CONGRESS STREET PORTLAND, MAINE 04101	ST. LAWRENCE ARTS ADDITION 76 CONGRESS STREET PORTLAND, MAINE 04101				BUILDING SECTION				



St. Lawrence Arts - North East Rendering



PERSPECTIVE B - LOOKING EAST UP CONGRESS STREET



PERSPECTIVE C - LOOKING WEST UP CONGRESS STREET



St. Lawrence Arts - Munjoy St. View



Saint Lawrence Arts - Beckett St. View



PROPOSED SCHEME WITH FORMER
APPROVED OVERLAY DIAGRAM





order 102 - 14/15
Tab 8 12-1-14

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

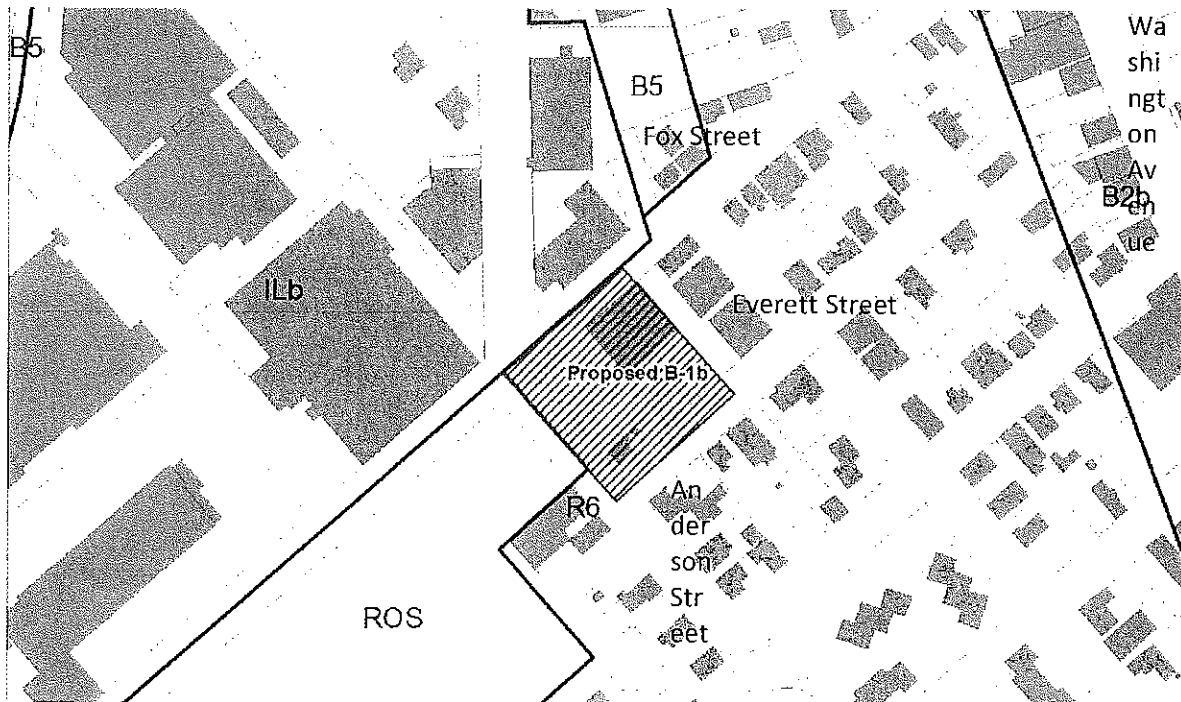
**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO ZONING MAP
RE: ANDERSON AND FOX STREETS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

That the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49, be and hereby is amended by adopting the following map change amendment as depicted in the area map below; and specifically rezoning land at 89 Anderson Street from Residential R-6 to Neighborhood Business B-1b.



MEMORANDUM
City Council Agenda Item

TO: City Council

FROM: Alexander Jaegerman, Planning Division Director

DATE: November 19, 2014

DISTRIBUTION: Mayor Michael Brennan; Sheila Hill-Christian, Acting City Manager; Danielle West-Chuhta, Corporation Counsel; Jennifer Thompson, Associate Corporation Counsel; Sonia Bean; Nancy English; Jeff Levine, Director, Planning and Urban Development

SUBJECT: B-1b Zoning Map Amendment Request
89 Anderson Street

SPONSOR: Stuart O'Brien, Chair, Planning Board

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st reading December 1, 2014 **Final Action** December 15, 2014

Can action be taken at a later date: Yes **X** No (If no why not?) Public notices will appear in the newspaper and be mailed in advance of the public hearing.

PRESENTATION: Stuart O'Brien, Planning Board Chair, and Alexander Jaegerman, Planning Division Director, 5 minute oral presentation

I. SUMMARY OF ISSUE (Agenda Description)

On November 12, the Planning Board voted to recommend a map amendment to change the zoning for 89 Anderson Street from Residential R-6 to Neighborhood Business B-1b. The amendment is proposed by Redfern Properties and is designed to allow them to develop 53 market rate apartments with ground floor restaurant and office uses at the corner of Fox and Anderson Streets in East Bayside. The applicant requested the rezoning in order to achieve the mix of uses and residential density envisioned for the project.

II. REASON FOR SUBMISSION (Summary of Issue/Background)

89 Anderson lies at the corner of Fox and Anderson Streets in East Bayside and is currently zoned Residential R-6. Redfern Properties approached the city in the summer of this year with a plan to redevelop the site, now the location of 3Gs Tire and Auto Service, as a 53-unit apartment complex with ground floor restaurant and office uses. In order to develop the site at the proposed density and to allow non-residential uses, the applicant required a zone change, and ultimately proposed Neighborhood Business B-1b for the site.

III. INTENDED RESULT

The proposed map change will allow the redevelopment of the 3Gs site at 89 Anderson Street with ground floor retail and residential units above.

IV. COUNCIL GOAL ADDRESSED

The proposed map amendment addresses the following council goals:

Promote Housing Availability: Provide increased availability in all segments of the housing market while insuring that there is a suitable balance of housing opportunities among those sectors.

Economic Development: Promote economic development in the City in a manner that provides for increased property values, diversification across industry sectors, and high paying jobs.

V. FINANCIAL IMPACT

The development facilitated by the proposed zone change will include dense, market rate rental housing and retail space. Both of these have the potential to generate revenue for the city, in addition to encouraging economic development in East Bayside more broadly.

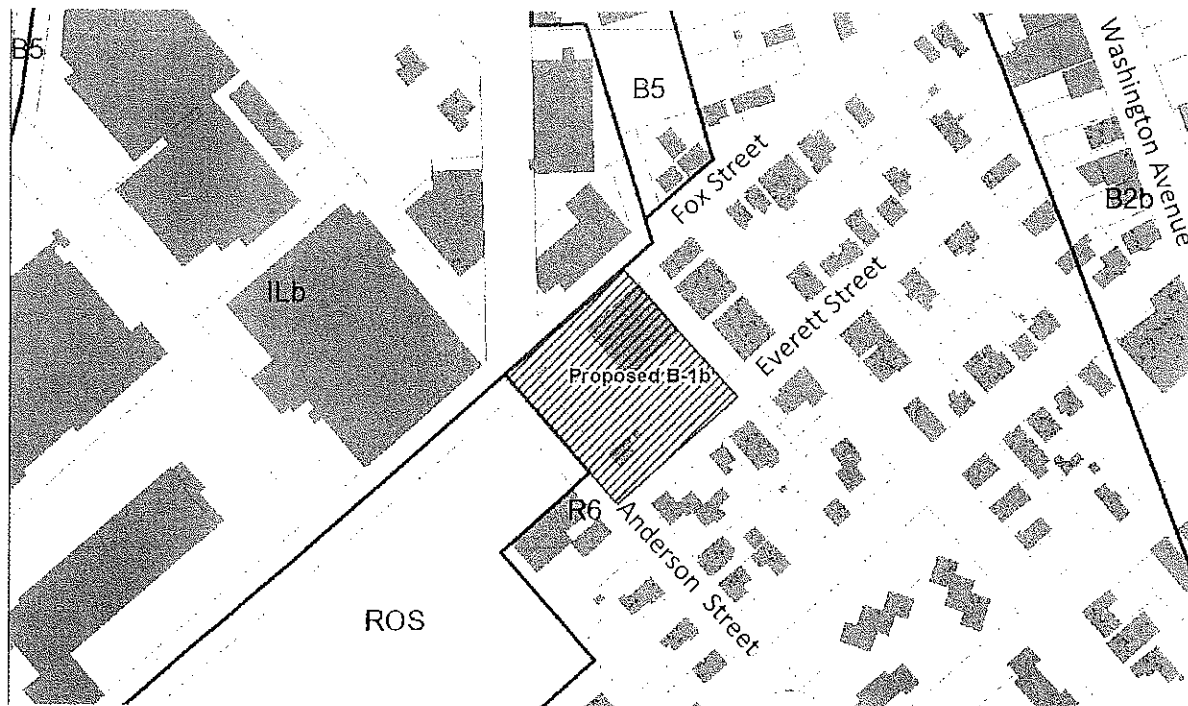
VI. STAFF ANALYSIS

Through the course of review, the board spent considerable time discussing the potential impacts of the zone change with respect to traffic and physical form, which emerged as neighborhood concerns.

Ultimately, the Board found significant cause to support the proposed map amendment, given the high visibility of the site on the corner of Fox/Anderson Streets; the mix of surrounding uses and the situation of 89 Anderson as a transitional parcel; and the potential to meet comprehensive plan goals around mixed use developments, walkability, and dense and diverse housing. The board noted that concerns regarding neighborhood traffic and building scale will require careful consideration under site plan review.

VII. RECOMMENDATION

On November 12, 2014, the Planning Board voted 5-0 (Dundon and Soley absent) that the proposed map amendment to change the zoning for 89 Anderson Street from Residential R-6 to Neighborhood Business B-1b, as shown below, is consistent with the comprehensive plan. The board voted 5-0 (Dundon and Soley absent) to recommend adoption of the proposed amendment to the city council.



VIII. ATTACHMENTS

1. Order
2. Planning Board Report to City Council (to be forwarded under separate cover)

Prepared by:

Signature

November 19, 2014
Date



CITY COUNCIL REPORT from PLANNING BOARD PORTLAND, MAINE

Map Amendment for 89 Anderson Street
Rezone from R-6 to B-1b
Redfern Properties, Applicant

Submitted to: Portland City Council
First Reading: December 1, 2014
Second Reading: December 15, 2014

Prepared by: Portland Planning Board
Date: November 19, 2014
CBLs: 12 I 001001, 005

I. INTRODUCTION

On November 12, 2014, the Portland Planning Board voted 5-0 (Soley and Dundon absent) to recommend a zoning map amendment, proposed by Redfern Properties, for a site at 89 Anderson Street to the city council. The property lies at the corner of Anderson and Fox Streets in East Bayside and is currently zoned



Figures 1(top) & 2: 89 Anderson Street from corner of Anderson and Fox; site from Anderson Street looking east.

Residential R-6. The amendment would change the zoning on the site to Neighborhood Business B-1b and would allow the applicant to develop a mixed use building, including 53 rental housing units, on the parcel.

The board considered the zone change request at two workshops and one public hearing, where discussion centered largely on the potential building scale and traffic impact implications of the amendment, as well as the affordability and neighborhood impacts of the housing development project that provides the impetus for the zone change.

A legal ad for the council hearing will be posted on the city's web page and in the *Portland Press Herald* on December 8 and 9, 2014.

Notices will also be sent to 150 property owners within 500 feet of the site and to the interested citizen list.

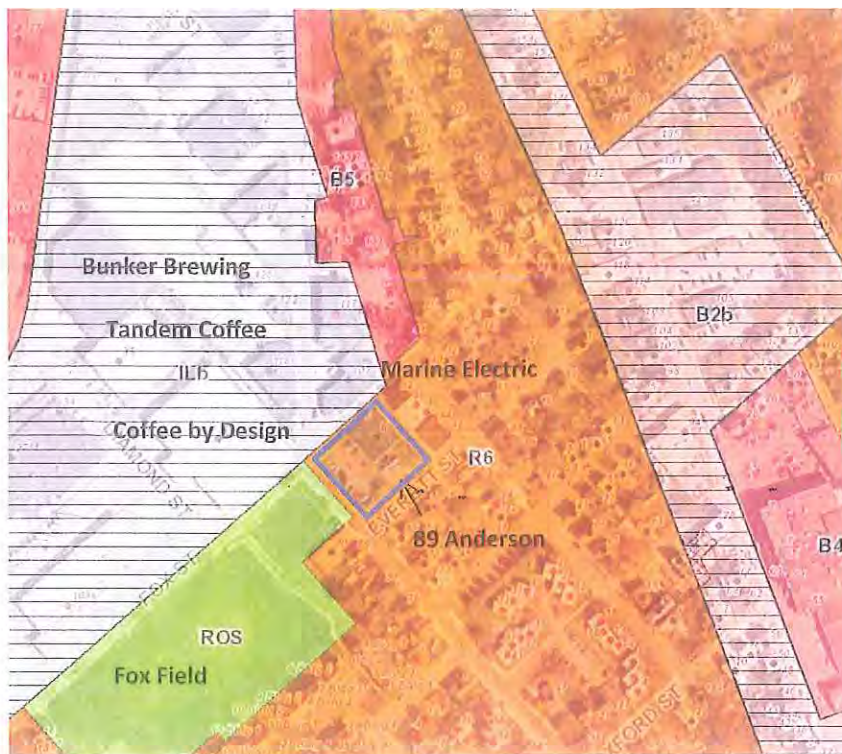


Figure 3: 89 Anderson zoning context

family housing to the east. Most of the adjacent housing is of a smaller scale, with a mix of single and two-family buildings characteristic of the city's East End. A sizable Recreation Open Space (ROS) parcel, the site of the Kennedy Park basketball courts and Fox Field, sits directly to the southwest. An Industrial IL-b zone, with uses typical of the evolving East Bayside, including Coffee By Design's roastery, Tandem coffee roasters, and Bunker Brewery, lies across Fox Street. The Urban Commercial Business B-5 zone is the nearest commercial zone; portions of Anderson Street north of Fox are zoned B-5. This B-5 zone is home to numerous multi-family properties, including a recent condominium development. There is a B-2b zone east of the site on Washington Avenue.

III. PROPOSED MAP AMENDMENT

Current Zoning: R-6 (Residential)

Proposed Zoning: B-1b (Neighborhood Business)

Current Uses: Auto repair

Proposed Uses: Mixed-use with first floor commercial (restaurant and office) and upper floor residential

Parcel Area: 23,357 SF

IV. ZONING ANALYSIS

Redfern Properties proposes to develop 53 units of high-density, market rate rental housing on the site as well as first floor commercial space and, in particular, a restaurant. The underlying zone precludes this plan on at least two counts. The existing R-6 zoning allows a density of 1 unit/1,000 SF of lot area for the first three units and 1 unit/1,200 SF thereafter, a density that the applicant has stated is too low to support the project. Even under proposed amendments to the R-6 zone currently under consideration by the board, where a density of 1 unit/725 units might be permitted, the applicant has stated that the project is not feasible. Secondly, restaurants are not permitted in the R-6 zone, nor are other commercial establishments. Professional offices are listed as a conditional use.

City staff conducted a comprehensive analysis of potential zoning designations, including a comparison of purposes, permitted uses, and dimensional requirements under the existing R-6 zoning, proposed amendments to the R-6, the R-7, the B-1b, and the B-2b. At the board's workshops, the R-7 and the B-2b

II. CONTEXT

89 Anderson Street, which consists of two parcels, is currently occupied by 3Gs Tire and Auto Service. The eastern half of the site houses a one-story brick garage building. The remainder of the site, including the corner at Anderson and Fox Streets, is dedicated to surface parking. There is some evidence that the site has long housed a garage; the tax records indicate this as the property's use as far back as 1924.

The site lies at the intersection of several zones. The property itself is zoned R-6; as such, it is surrounded on two sides by mostly residential uses, including some large three-story multi-

were effectively eliminated as options. The analysis found that the R-7 does not permit the commercial uses envisioned under the amendment application and that the B-2b, while supportive of the density and desired development program, also permits a range of uses, including auto service stations and drinking establishments, widely considered too intense. There was considerable support for the B-1b zoning designation on the site and, as such, the board ultimately directed staff to advertise the zoning to B-1b as proposed by the applicant.

Purpose Statements

The existing R-6 zoning is designed to promote dense, urban housing characteristic of the city's peninsula. The purpose of the R-6 zone, which can currently be found predominantly in the East and West Ends of the city, 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."

The proposed B-1b zoning designation, in contrast, is more explicitly designed for mixed-use development. The purpose statement reads, "[t]he purpose of the B-1b neighborhood business zone is to provide appropriate opportunities for the establishment of small-scale ground floor commercial uses in existing buildings, serving a local market, while preserving residential uses and character above the ground floor of structures." While this portion of the purpose statement plainly references existing buildings, it should be noted that B-1b amendments recently adopted by the council will eliminate this distinction in an effort to promote small-scale mixed use buildings whether existing or new. The purpose statement continues, "[t]he zone also provides the opportunity for mixed use and high residential density in on-peninsula locations." Many of the city's traditional, small-scale neighborhood commercial nodes lie in B-1 or B-1b zoning designations, including portions of Congress Street in Munjoy Hill and portions of Pine Street in the West End.

Table 1: Purposes

R-6 Residential	B-1	B-1b
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. 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.	To provide limited ^{intended} areas for the location of small-scale commercial establishments intended to serve a local market. As a result, uses shall be complimentary, quiet and generally do not disturb the comfort and enjoyment of the adjoining neighborhood environment. Uses shall be designed for the pedestrian scale and will provide convenient access for nearby residents and workers to walk in to purchase goods and services. Buildings and uses shall be designed with attractive storefronts or similar features, with windows and doors convenient to a public sidewalk. Building additions are encouraged but not required to meet the maximum setbacks of 14-165(c)(3). This zone shall encourage 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. Suitable locations for this zone may include street intersections and arterial streets with existing or proposed traditional neighborhood retail and service uses.	To provide appropriate opportunities for the establishment of small-scale ground floor commercial uses in existing buildings, serving a local market, while preserving residential uses and character above the ground floor of structures. The zone also provides the opportunity for mixed use and high residential density in on-peninsula locations. Building additions are encouraged but not required to meet the maximum setbacks of 14-165(c)(3). ¹

¹Reference to "existing buildings" to be eliminated under amendments adopted by the city council on November 17, 2014.

Permitted Uses & Potential Impacts

In keeping with the intent to encourage high-density housing, the R-6 permits most housing types by right. Some institutional uses and professional offices are permitted conditionally, but otherwise the R-6 zone does not permit most non-residential uses, and commercial uses are excluded entirely. It should be noted that the auto repair use which currently occupies 89 Anderson is technically non-conforming.

The B-1 and B-1b zones, in contrast, permit commercial uses, including offices, personal services, business services, and retail establishments, by right. They also permit places of assembly, clinics, municipal uses, and schools. However, in the B-1b zone, these uses are permitted on the first floor only. Upper floor uses are limited exclusively to residential. In this way, the B-1b is intended to promote mixed-use buildings. Under recent amendments to the ordinance, restaurants are permitted in the B-1 and B-1b so long as their hours are limited to 6 a.m. to 11 p.m, food service and consumption are their primary functions, and there are no drive-throughs. The maximum floor area for use by the public is limited to 2,000 SF.

Traffic Impacts

The change in permitted uses associated with the proposed map amendment poses the potential to generate new and different impacts on the neighborhood. In particular, over the course of the review, neighbors have repeatedly raised questions and concerns regarding the potential trip generation and traffic safety impacts of the proposed zone change.

Given the traffic-related concerns voiced repeatedly over the course of the review, the applicant elected to conduct a traffic analysis specific to the proposed buildout of their site. In early September, the applicant submitted a preliminary traffic impact study (*Attachment I*). The study, conducted by William Bray of Traffic Solutions, included summaries of existing bicycle and pedestrian volumes and safety trends at several locations near the 89 Anderson site; estimated trip generation from the proposed site uses; and existing and future anticipated levels of service at several nearby intersections, taking into account traffic to be generated by other approved projects in the vicinity. The traffic study and associated submittals generally found the following:

- There are “moderate” bicycle and pedestrian volumes through study area intersections, with higher volumes occurring in the PM peak hour than in the AM peak hour. Of the three intersections studied, the highest bicycle volumes were observed at the Washington Avenue/Fox Street intersection and the highest pedestrian volumes were observed at the Anderson Street/Cumberland Avenue intersection;
- Of the roadway segments and intersections studied, the Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT’s criteria for a high crash location. Of the nine accidents observed at this location over a three year timeframe, the plurality involved vehicles heading eastbound on Fox Street turning left onto Washington Avenue;
- A trip generation analysis for the proposed development at 89 Anderson Street yielded a net change in estimated trip generation of 15 AM and 9 PM peak hour trips from the site (i.e. 15 more AM and 9 more PM peak hour trips than currently occur to/from the site under 3Gs ownership). Based on the gross estimated trip generation from the site¹, future traffic operations were not anticipated to experience significant degradation in service as a result of the proposed development. The study showed that the Fox Street approach to the Washington Avenue/Walnut Street/Fox Street intersection, which currently experiences a high level of delay, will continue to do so.

The study included a preliminary signal warrant analysis for the Washington Avenue/Walnut Street/Fox Street intersection, which found that, at least preliminarily; it was not expected to meet signal warrants.

¹ The preliminary traffic impact study used gross trip generation estimates (27 AM and 33 PM peak hour trips) for the proposed use and did not account for existing traffic to/from the site.

Table 2: Permitted Uses

		R-6	B-1/B-1B ¹
Permitted	Residential	Single-family and two-family dwellings	Any use permitted in nearest residential zone; if commercial first floor multi-family permitted by right
		Multi-family dwellings	
		Handicapped family units	
		Single-family manufactured housing	
		Lodging houses	
	Institutional	Governmental buildings and uses/municipal uses	•
		Schools	•
		Clinics	•
		Places of assembly	•
		Nursery schools, kindergartens	•
		Day care facilities	•
	Business	Professional offices	• ²
		Personal services	•
		Business services	•
		Offices of building tradespeople	•
		Retail establishments	•
	Other	Accessory uses	•
		Hostels	•
		Wind energy systems	•
		Cemeteries	•
		Parks	•
		Home occupation	•
		Special needs independent living units	•
		Conversion into bed and breakfast	•
		Utility substations	•
		Beverage dealers	•
		Bed and breakfasts	•
		Studios for artists and craftspeople	•
		Neighborhood center	•
Conditional	Institutional	Sheltered care group homes	•
		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	•
	Other	Restaurants	• ³
		Conversion into bed and breakfast (over 5 rooms)	•
		Utility substations	•
		Professional offices	•
		Chancellery	•
		Off-street parking	• ³
		Hostels	•
		Temporary wind anemometer towers	•
		Wind energy systems	•

¹ Permitted on ground floor of B-1b; above ground floor, only residential uses of 14-162(a), bed and breakfasts, hostels permitted² Amendments to include business and general offices, excluding veterinarians, were adopted by the council on November 17, 2014³ Under amendments adopted by the council on November 17, 2014, restaurants will be permitted, provided they meet the following requirements:

max. floor area for use by public of 2,000 SF; hours limited to 6 am to 11 pm; food service and consumption is primary function; and no drive-throughs.

Table 3: Dimensional Requirements¹

	R-6	Proposed R-6²	Adopted B-1/B-1b (11/17/14)
Min. Lot Area per D.U.	1,000 SF; 1,200 SF after first three ³	725 SF	<i>On-peninsula:</i> 435 SF
Min. Lot Width	40 ft.	30 ft.	None
Min. Front Yard	10 ft., except where average depth of adjacent front yards is less	5 ft., except where average depth of adjacent front yards is less	
Max. Front yard			10 ft., or average depth of nearest developed lots
Min. Rear Yard	<i>Principal > 100 SF footprint:</i> 20 ft.	<i>Principal > 100 SF footprint:</i> 10 ft.	<i>Principal:</i> None; 10 ft. if abutting a residential zone
	<i>Detached accessory < 144 SF footprint:</i> 5 ft.	No change	<i>Accessory:</i> None; 5 ft. if abutting a residential zone
Min. Side Yard	1-3 stories: 10 ft. ⁴	5 ft.	<i>Principal:</i> None; 5 ft. if abutting residential zone
	4 stories: 12 ft. ⁴		<i>Accessory:</i> None; 5 ft. if abutting a residential zone
	5 stories: 15 ft. ⁴		
	Side yard on side street: 10 ft.		<i>Corner lot:</i> 10 feet max
Max. Structure Height	Principal: 45 ft.	No change	<i>On-peninsula:</i> 45 ft. ^{5, 3}
	Accessory detached: 18 ft.		
Structure Stepbacks			Above 35 ft.: 10 ft. from side and 15 ft. from rear property line if abutting a residential zone
Max. Floor Area	See footnote ⁶		<i>Total max. first floor area for non-residential uses per structure:</i> 10,000 SF
			<i>Total max. first floor area per retail establishment:</i> 5,000 SF
Max. Lot Coverage	> 20 units: 40%	60%	
	< 20 units: 50%		
Open Space Ratio	< 20 units: 20% ⁶	20%	
	> 20 units: 30%		
Max. Impervious			90%

¹ Table only includes relevant dimensional standards. Note that other dimensional standards apply.

² These amendments have yet to be brought to the Planning Board for review, and are subject to change.

³ Other restrictions apply for lodging houses, intermediate care facilities

⁴ 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. Other exceptions apply.

⁵ Except 50 ft. along Congress Street if commercial first floor & residential upper floors. 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.

⁶ Minimum/maximum gross floor area requirements exist for places of assembly and bed and breakfasts.

Tom Errico, the city's consulting traffic engineer, reviewed the findings of the preliminary traffic impact study and provided comments (*Attachment I*). These comments included some technical concerns, including a request that the trip generation estimates be revised to include all land uses proposed for the site and that a full signal warrant analysis be conducted for the Washington Avenue/Walnut Street/Fox Street intersection. The comments also echoed traffic concerns voiced by neighbors regarding the comprehensiveness of the traffic counts, noting that volumes were counted when Unitil was completing work in the Anderson Street right-of-way and when school and community activities in the area were not in session.

In response, the applicant's traffic engineer provided a revised submittal on November 3, 2014 (*Attachment K*). This submittal included:

- Updated trip generation numbers that account for all proposed land uses on the site, as well as existing traffic generated from 3Gs, and an assessment of impacts on adjacent intersection levels of service. The revised totals show projected peak hour volumes of 27 AM and 41 PM trips from the site under the proposed buildout scenario, including the restaurant use. When existing trips from 3Gs are taken into account, the resulting net peak hour trip generation is reduced to 15 AM and 17 PM peak hour trips. Given these numbers, Mr. Bray writes that "new site generated peak hour values are lower than the volume of site generated trips utilized in the [original] traffic impact study completed...in August 2014. Therefore, the intersection levels of service summary....are conservative estimates of the project's impact on intersection operations." That LOS summary projected no significant degradation of service under the post-development condition (*Attachment I*).
- Updated traffic counts for the Washington Avenue/Walnut Street/Fox Street intersection, designed to coincide with a school day. The AM peak hour volumes observed in these counts, which were conducted in October, were generally higher than the volumes counted in late summer. The opposite was true of the PM counts, with the October volumes lower than those from August. It should be noted that Unitil was working in Anderson Street at the time of the counts.
- Updated counts for Fox Street/Anderson Street, reflecting a Friday schedule at the nearby mosque. It should be noted that these counts do not capture an event at Fox Field, as originally planned, as inclement weather resulted in the cancellation of events there on the day of the scheduled count. These counts showed a PM peak hour between 3:45 and 4:45 where 652 vehicles entered the intersection. This volume was actually slightly lower than the total PM peak hour volume recorded in August. Mr. Bray writes that, "although it would have been desirable to obtain traffic data for the intersection during scheduled field events at the East Bayside Field Complex, a high level of confidence remains in the validity of the conclusions of the traffic impact study...The noted intersection [Fox/Anderson] was projected to operate at the absolutely best level of service...under post-development conditions and...it is highly reasonable to assume that more than acceptable traffic operations would remain at the intersection even with the addition of significantly heavier peak hour volumes of traffic generated by the sports fields" (*Attachment K*).
- A full traffic signal warrant analysis for Washington Avenue/Walnut Street/Fox Street (*Attachment L*). Based on Mr. Bray's analysis, the existing traffic volumes and crash patterns fail to meet the warrants for a signal at this location.

In addition, the applicant has provided a conceptual site plan showing pedestrian improvements at Fox and Anderson Streets associated with the city's Anderson Street Byway Project (*Figure 4 and Attachment M*). The city is currently in the process of bidding this construction project, which will ultimately include construction work to create sidewalks, permanent pedestrian crossings, and utility upgrades at the Anderson Street/Fox Street intersection and along Anderson Street in this vicinity. At the present time, the construction drawings for the Byway Project have left the right-of-way at the Redfern property at the corner of Fox and Anderson Streets unresolved, pending the outcome of this zone change request and subsequent planning under site plan review. It is assumed that Redfern Properties would be responsible for pedestrian improvements along their frontages.

is assumed to be a High-Turnover restaurant, 32 additional PM peak hour trips can be expected. I would note that not all of this traffic would be new and in fact a reduction in trips is likely given the projects urban location. The applicant notes that the original traffic study did not account for a reduction of vehicle trips due to the elimination of the 3G's business. I concur with the applicant that when considering this trip credit, the level of service analysis conclusion should remain valid (that the intersection will operate at a very good level of service), even under a restaurant use assumption.

It was previously noted that the traffic counts consider the volume impact of recreation events at the East Bayside Athletic Facility. The applicant attempted to collect the requested information, but due to weather issues, was unable to capture traffic volumes that included field event motorists/pedestrians. I concur with the applicant that the level of service conditions at the Fox Street/Anderson Street intersection would not be expected to degrade substantially and acceptable levels of service would be expected with field activities.

Per previous comments, the applicant conducted a traffic count on a Friday to capture traffic and pedestrian demand from the Mosque located on Anderson Street north of Fox Street. I concur that based upon the count, the level of service conclusions provided in the original traffic study would not be substantially different given added Mosque related traffic. I would note that the applicants analysis did highlight the heavy pedestrian demand that travels through this intersection and I would note that Phase 1 of the City's Anderson Street Neighborhood By-Way project is proceeding with the project expected to begin before the end of the year. The Phase 1 project primarily consists of improving pedestrian facilities at the Fox Street/Anderson Street intersection.

I have reviewed the concept site plan graphic provided by the applicant and concur that it provides details that represent elements of the Anderson Street Neighborhood By-Way project. It should be noted that the By-Way project is not implementing any improvements to the 89 Anderson Street corner, with the assumption that a future project will be disturbing this corner. The details provided on the graphic for the 89 Anderson Street corner generally seem acceptable, but adjustments can be expected during the design and site plan approval process.

It should be reiterated that, under site plan review, the city routinely assesses traffic impacts and requires mitigation where necessary. The city is currently examining the Washington Avenue/Walnut Street/Fox Street intersection in an effort to address existing concerns there. A contribution or improvements relative to any impacts posed by the Redfern development would be identified at the time of site plan review.

It should also be reiterated that residents have raised concerns about volumes at the Fox Street/Anderson Street intersection, the existing geometry of this intersection, the profile of Fox Street, and pedestrian and vehicular safety more broadly in this area. In both written correspondence and at Planning Board meetings, Mr. Errico has stated that crash data does not indicate safety problems at Fox Street/Anderson Street, and that since the intersection is designed as a four-way stop, he does not have concerns about the existing geometry (*Attachment 1*). He has also noted that the capital investments associated with the Anderson Street Byway Project should improve the overall function of the Fox Street/Anderson Street intersection.

Other Potential Impacts

As noted previously, there are other potential impacts associated with the change in permitted uses under the proposed zone change. In that the B-1b allows ground floor retail and, with the amendments now under consideration by the council, restaurant uses, there is the potential for night time activity and the concomitant light and noise. It should be noted that, as with traffic impacts, the city regulates light and, to some extent, noise impacts through the site plan review process.

Dimensional Requirements and Form

The purpose of the existing R-6 zoning is to encourage high density housing. 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 buildout of the 89 Anderson parcel to 19 units. The Planning Division is currently drafting text amendments to the R-6 which would allow it to more closely replicate the type of development that originated prior to zoning and can be found in many of the city's R-6 zones. Under the proposed amendments, a density of one unit/725 SF of lot area would be permitted. This would allow the development of 32 units on site. The current R-6 allows a lot coverage of 50% and poses setback requirements of 10 feet on the front yard, 20 feet on the rear yard, and 10-15 feet on the side yard, which guarantees that buildings will be separated both from each other and the street with a significant amount of open space. A height of 45 feet is allowed. The proposed R-6 dimensional requirements would increase the lot coverage to 60%, reduce the setbacks to 5 feet for the front yard, 10 feet for the rear yard, and 5 feet for the side yard. The height limit would not change.

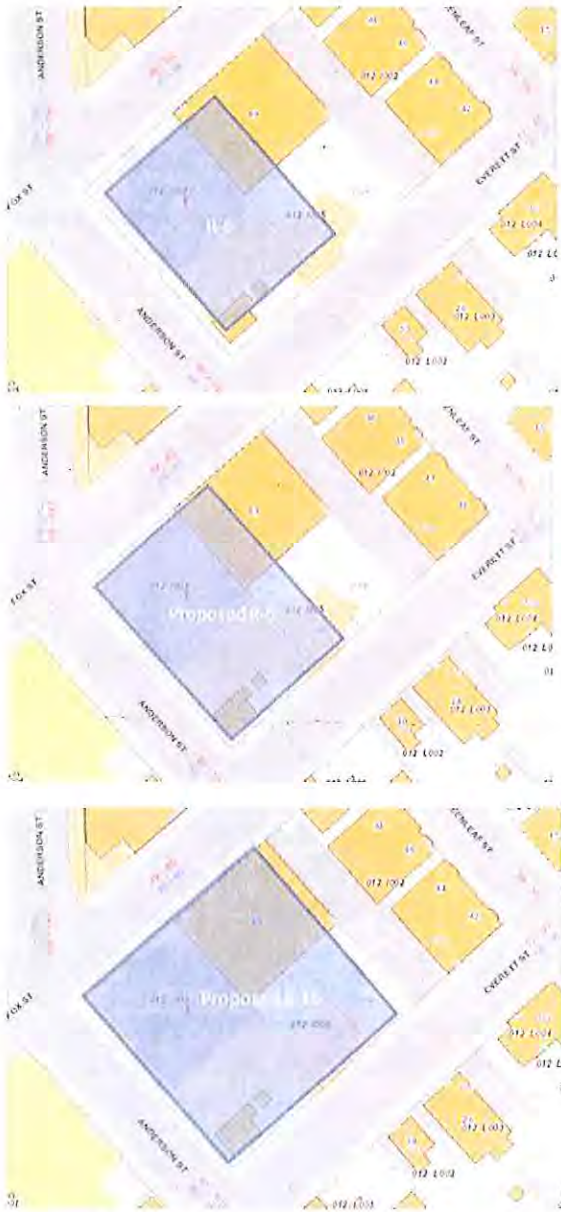


Figure 5: Conceptual diagrams depicting building envelopes under potential zoning designations, 89 Anderson Street site (Note: "Proposed B-1b" depicts dimensional standards recently adopted by city council.)

The city's business zones generally encourage a denser urban form. The B-1b zone allows 90% impervious surface and permits a density of one unit/435 SF of lot area. A rezoning to B-1b would thus, as the applicant proposes, allow 53 units on site. As in the R-6, the maximum height allowed is 45 feet. There is a maximum 10 foot front yard setback. Under B-1 amendments recently adopted by the City Council, side and rear yard setbacks would be reduced to 5 feet and 10 feet respectively if a property abuts a residential zone. These amendments also include a stepback provision, which would require an increase in setback to 15 feet above 35 feet in height on the rear of the property if abutting a residential zone.

Neighbors have raised concerns regarding potential scale and massing under the zone change. It should be noted that the height limits of the R-6 and the B-1, even under proposed amendments, are the same at 45 feet. Regarding lot coverage, however, there is a significant difference between the existing and the proposed zoning. The proposed R-6 amendments allow a lot coverage of 60% and the B-1b effectively allows 90%. Staff has developed conceptual diagrams to depict the rough building envelope on the 89 Anderson Street site under the existing R-6, the proposed R-6, and the recently adopted B-1 (Figure 5). In addition, the applicant has provided photosimulated elevations in an attempt to depict the proposed building under the dimensional requirements of the B-1b zone, as proposed (Attachment H and Figure 6). In response to questions raised by the public, it should be noted that numerous other recently approved or constructed housing and mixed-use development projects, including the Chestnut Street Lofts (34 units), Pearl Place I and II (60 and 54 units respectively), the Avesta project at 409 Cumberland Avenue (57 units), the Seaport Lofts at 101-121 Newbury Street (39 units), and West End Place (39 units), are of similar scale and nature. Not all of these projects are located in the B-1 or B-1b zones.



ANDERSON STREETSCAPE



EVERETT STREETSCAPE

Figure 6: Proposed 89 Anderson Street elevation in context

It should also be reiterated that neighbors have raised particular concerns with regard to the setbacks under the proposed zoning, expressing a concern that sight lines will be obstructed and cause safety issues, particularly at the Fox Street/Anderson Street intersection. Mr. Errico was consulted regarding this concern and noted that, given that Fox Street/Anderson Street is a four-way stop, he finds the sight distance to be acceptable (*Attachment 1*).

V. POLICY ANALYSIS

The applicant argues in their cover letter that the “site lies at the convergence of several zones and represents an opportunity to improve an underdeveloped property in a way that will contribute to the neighborhood and city” (*Attachment A*). In their submittals, Redfern includes a comprehensive plan analysis (*Attachment G*). In this analysis, they attest that the proposed zone change will meet numerous goals of the city’s comprehensive plan, most particularly those of the city’s housing plan, *Housing: Sustaining Portland’s Future*.

First in their analysis, Redfern argues that the proposed market-rate rental housing project which the proposed zone change will allow will help to meet the city’s goal of “[e]nsur[ing] that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future.” They further elaborate that, by providing rental housing at projected rents below 30% of HUD’s median income for the Portland metro region, the zone change would allow the city to actualize an objective under this goal: “ensur[ing] the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied.” Redfern also cites goals from *Housing: Sustaining Portland’s Future* related to “encourag[ing] higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation” and “increas[ing] Portland’s rental housing stock.”

Maybe more relevant to the rezoning request, Redfern cites objectives from *Housing: Sustaining Portland’s Future* related to “support[ing] Portland’s livable neighborhoods by encouraging a mix of uses that provide needed goods and services within walking distance of most residents,” writing that the B-1b zoning designation will encourage “uses and services compatible with residential neighborhoods, thus supporting the planning concept of ‘walkable neighborhoods.’” The applicant also quotes the objective regarding “encourag[ing] neighborhood business centers throughout the city to reduce dependence on the car and make neighborhood life without a car more practical,” writing that “the B-1b zone is designed to create neighborhood business centers. Mixed-use buildings...both provide residence and neighborhood

business/services that create excellent 'traditional' neighborhoods less dependent on the automobile."

As always when considering the rezoning of a residentially-zoned area, it should also be noted that *Housing: Sustaining Portland's Future* advises against commercial encroachment with policies such as "[w]hile accommodating needed services and facilities, protect the stability of Portland residential neighborhoods from excessive encroachment by inappropriately scaled and obtrusive commercial, institutional, governmental, and other non-residential uses." In this regard, it should be noted that the B-1b provides for a fairly narrow range of commercial uses and further limits those uses to the ground floor only.

Based upon the applicant's submission and the planning staff's assessment, the Planning Board found that the proposed map amendment is consistent with the goals and objectives of Portland's Comprehensive Plan. The Board found the site to be appropriate for a small scale commercial zone that supports housing and neighborhood business uses. It was noted that the proposed B-1b zone for the site serves as a transition or buffer between the more intense uses of the industrial and B-5 zones and the R-6 residential zone for the East Bayside neighborhood. The Board noted that the design and traffic questions will be addressed at the site plan stage and that the proposed rezoning is consistent with the goals for more livable neighborhoods and active streetscapes.

VI. PUBLIC COMMENT

Over the course of the review, the Planning Board received numerous public comments on the proposed zone change (*Attachments PC-1-18*). In general, many of the questions and concerns expressed in this correspondence focused on issues regarding traffic generation and impacts to Washington Avenue/Walnut Street/Fox Street, and Fox Street itself; geometry and sight lines at Fox Street/Anderson Street and Washington Avenue/Walnut Street/Fox Street, particularly with respect to pedestrian (but also vehicular) safety; and Fox Street width, in combination with the existing parking situation, grades, speeds, and snow. Nearby residents have called for traffic calming, pedestrian upgrades, signal improvements, and the elimination of tractor trailer parking along lower Fox as a way to mitigate some of these concerns. Safety is a general, overriding issue.

Residents also expressed opposition regarding the scale of the building allowed under the proposed zone change, both in terms of mass and in terms of units. Neighbors have stated that the eventual project will be out of context with the surrounding neighborhood. In conjunction with these concerns, residents have also expressed a desire for additional open space on the site.

Lastly, residents have consistently voiced concerns regarding the type of housing units likely to be developed under the proposed zone change, and what market rate housing might mean in terms of affordability for the surrounding neighborhood. These and other comments reflect a general concern about the changing nature of East Bayside and the need to plan for these changes in a proactive manner.

It should be noted that there have also been numerous comments in support of the proposed zone change, citing the 89 Anderson site as an ideal location for mixed-use development.

VII. BOARD DELIBERATION AND RECOMMENDATION

As is customary, the board considered whether the proposed designation makes rational sense for a broader area than the 89 Anderson Street site. In this instance, there is a compelling case that the surrounding zones should remain as they currently exist. The R-6 zone in this area of East Bayside is largely intact with residential properties, save for the 89 Anderson site, which houses a non-conforming auto repair use, and there are longstanding comprehensive plan policies which seek to limit commercial expansion into residential zones. With respect to the nearby IL-b, recent policy papers on the part of the city's Economic Development Division have strongly advocated for retaining industrially-zoned land in the city. Likewise, the ROS zone at Fox Field is clearly a valuable community resource that city policy would encourage to leave in its current state. Furthermore, it should be noted that the city's B-1 zones are generally small and circumscribed, part of makes them attractive as neighborhood retail and residential nodes.

Ultimately, the Planning Board found significant cause to support the proposed map amendment on the 89 Anderson Street parcel alone. The high visibility of the site on the corner of Fox Street/Anderson Street clearly presents some challenges for the ground floor residential uses promoted by the existing R-6 zone and, in turn, seems to provide a relatively ideal opportunity for first floor retail with residential above. Because of

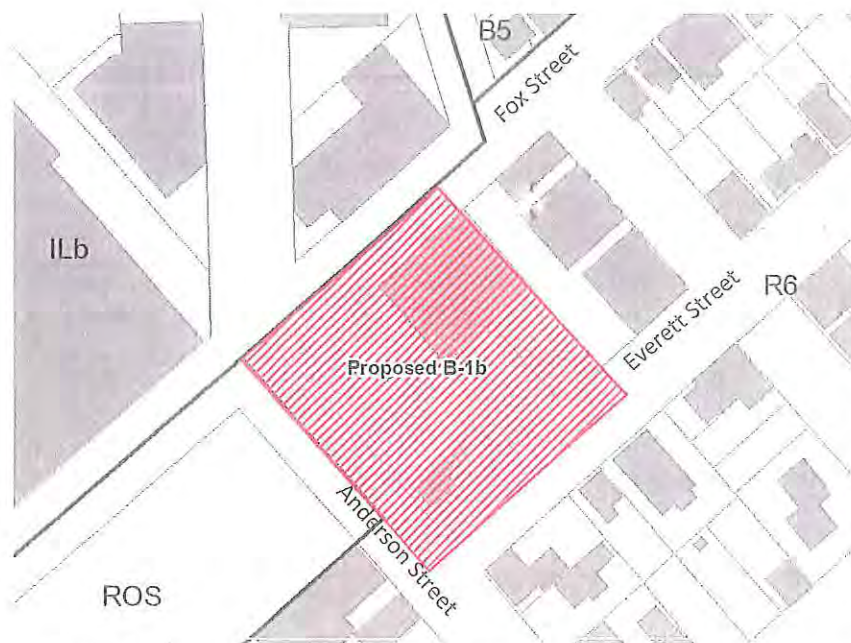


Figure 7: Proposed zone change, 89 Anderson Street

the mix of surrounding uses at Anderson Street/Fox Street, the site could function as a transitional parcel, tying the residential south of Fox with the industrial/commercial uses to the north and the open space to the west. In this vein, the B-1 purpose statement refers particularly to “street intersections and arterial streets with existing or proposed traditional neighborhood retail and service uses” as suitable locations for the zone. Lastly and maybe most importantly, however, board members found that the policies of the comprehensive plan clearly support the proposed map change, in as much as they promote walkable neighborhoods with goods and services in close proximity (or

even on the same lot) as residential uses and dense housing of varying types. It should be noted that concerns regarding neighborhood traffic and building scale and design will require careful consideration under site plan review.

Given this analysis, the board ultimately voted 5-0 (Dundon and Soley absent) as follows:

Based on 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 to change the zoning for 89 Anderson Street from Residential R-6 to Neighborhood Business B-1b, as shown in the map above, is consistent with the comprehensive plan and does recommend adoption of the proposed amendment to the city council.

VIII. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. Traffic engineer review (email from Tom Errico, 9/17/14)
2. Traffic engineer review (email from Tom Errico, 11/5/14)

APPLICANT'S SUBMITTALS

- A. Zoning Map Amendment Application (6/23/14)
- B. Vicinity Map
- C. Preliminary Site and Floor Plans
- D. Building Rendering
- E. Neighborhood Meeting Minutes
- F. Supplemental Cover Letter (from Jonathan Culley, 9/11/14)
- G. Comprehensive Plan Analysis

- H. Supplemental Drawings
- I. Preliminary Traffic Impact Study
- J. Traffic Study Revision
- K. Response to Comments (memo from Traffic Solutions, 10/30/14)
- L. Traffic Signal Warrant Assessment
- M. Intersection Improvements Plan

PUBLIC COMMENT

- PC-1. Email from Ellen Bailey, 7/17/14
- PC-2. Email from Chris Bruni, 7/18/14
- PC-3. Email from Jed Harris, 7/18/14
- PC-4. Email from Karen Snyder, 7/18/14
- PC-5. Email from Cynthia Cochran, 7/20/14
- PC-6. Email from Karen Snyder, 7/21/14
- PC-7. Email from Jeremy Benn, 7/23/14
- PC-8. Letter from Joe Flynn, undated
- PC-9. Emails from Ellen Bailey, 8/14/14 and 8/18/14
- PC-10. Email from Toby Rzepka, 8/21/14
- PC-11. Email from Karen Snyder, 9/10/14
- PC-12. Correspondence from Cynthia Cochran, 9/18/14
- PC-13. Letter from Ellen Bailey, 9/20/14
- PC-14. Email from Kathleen McKeon, 9/22/14
- PC-15. Letter from Michele Castner, 9/22/14
- PC-16. Email from Karen Snyder, 10/12/14
- PC-17. Email from Christian Milneil, 11/5/14
- PC-18. Email from Cynthia Cochran, 11/12/14

From: Tom Errico <thomas.errico@tylin.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>
Date: 9/17/2014 7:09 PM
Subject: 89 Anderson Street - Preliminary Traffic Review

Hi Nell - I have reviewed the traffic study prepared by Bill Bray, P.E. for the project, responded to some neighborhood comments, and provided a trip generation comparison summary between the existing and proposed land use zones. The following presents my comments.

- The study collected traffic volumes at the Washington Avenue/Fox Street/Walnut Street intersection during the summer time period and not when area schools were in session. It is requested that the traffic counts be updated to include school activity.

- A estimated traffic signal warrant evaluation was conducted at the Washington Street/Fox Street/Walnut Street intersection and could not conclusively determine whether a traffic signal should be installed. The applicant should conduct a full comprehensive traffic signal warrant study and render a decision on traffic signalization.

- The traffic study should be revised to account for all development land uses. It is my understanding that a restaurant is being proposed and therefore should be included in the analysis.

- It should be noted that the traffic study assumed access and egress from the parking lot for the project is via a driveway on Everett Street. I find this to be acceptable.

- Given that the Washington Avenue/Fox Street/Walnut Street intersection is a High Crash Location, the applicant should expect to participate in implementation of mitigation improvements at this location.

- There have been concerns expressed regarding sight distance adequacy at the Fox Street/Anderson Street intersection. Given that all movements must stop, I find sight distance conditions to be acceptable.

- There have been concerns expressed regarding the geometric alignment of the Fox Street/Anderson Street intersection (the northerly Anderson Street approach) and that it is non-compliant from an intersection design perspective. The existing configuration of the intersection does make two specific movements difficult from a turning perspective. The right-turn movement from westbound Fox Street and the left-turn movement from southbound Anderson Street. Because these two movements are low volume turns, crash data has not identified any safety problems, and that it is a four-way STOP intersection, I do not find the geometry to be a concern.

- There have been concerns raised regarding the width of Fox Street and general overall safety given traffic volume increases, on-street parking, etc. Fox Street east of Anderson Street is approximately 30 feet wide. Parking is permitted on both sides of the street. Assuming parking lane widths of 7 feet, 16 feet of travel width would be available under a worst-case condition (where cars are parked opposite each other). This width issue should be reviewed further in respect the most appropriate layout of travel lanes and parking lanes for Fox Street.

- I have conducted a trip generation comparison analysis between the existing and proposed zoning. Based upon information provided by you, the two zoning scenarios will consist of the following with the associated AM and PM peak hour traffic volumes (combined entering and exiting):

§ Existing Zoning - 20 Residential Units

- o AM Peak Hour - 10 vehicles
- o PM Peak Hour - 12 vehicles

§ Proposed Zoning - 53 Residential Units and 5,255 square feet of Office Space

- o AM Peak Hour - 37 vehicles
- o PM Peak Hour - 43 vehicles

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
 Senior Associate
 Traffic Engineering Director
 [T.Y. Lin International] T.Y. Lin International
 12 Northbrook Drive
 Falmouth, ME 04105
 207.781.4721 (main)
 207.347.4354 (direct)

207.400.0719 (mobile)
207.781.4753 (fax)
thomas.errico@tylin.com<mailto:thomas.errico@tylin.com>
Visit us online at www.tylin.com<http://www.tylin.com>
Twitter | Facebook | LinkedIn | YouTube

"One Vision, One Company"

Please consider the environment before printing.

From: Tom Errico <thomas.errico@tylin.com>
To: Helen Donaldson <HCD@portlandmaine.gov>
CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pinco <DMP@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>
Date: 11/5/2014 4:27 PM
Subject: 89 Anderson Street

Nell - The following presents my comments as it relates to the analysis prepared by Bill Bray, P.E. transmitted to the City by email on Monday November 3, 2014.

* A detailed traffic signal warrant analysis was conducted at the Washington Avenue/Walnut Street/Fox Street intersection. The methods and analyses meet those contained in the Manual on Uniform Traffic Control Devices, Federal Highway Administration and I find them to be acceptable. The conclusion uses existing traffic volumes and concludes that a traffic signal is not warranted under current October 2014 traffic volume conditions. Based upon a detailed review of the warrant analysis, a warrant is closely met, and in my professional opinion, given development growth activity in the area, a traffic signal is likely to be needed in the future. Given both safety and capacity needs at this location, the applicant will likely be required to make a monetary contribution to this intersection as part of Site Plan conditions of approval.

* It was noted previously that traffic counts at the Washington Avenue/Walnut Street/Fox Street intersection should be conducted during school time periods. The applicant has updated counts and I have no further comment.

* It was previously noted that the applicant should consider the traffic impact of the proposed commercial space on the area transportation system. The applicant conducted a trip generation analysis assuming the space is occupied by a Specialty Retail use and therefore would add approximately 8 vehicles to the road system during the PM Peak hour. If the 2,780 square foot space is assumed to be a High-Turnover restaurant, 32 additional PM peak hour trips can be expected. I would note that not all of this traffic would be new and in fact a reduction in trips is likely given the projects urban location. The applicant notes that the original traffic study did not account for a reduction of vehicle trips due to the elimination of the 3G's business. I concur with the applicant that when considering this trip credit, the level of service analysis conclusion should remain valid (that the intersection will operate at a very good level of service), even under a restaurant use assumption.

* It was previously noted that the traffic counts consider the volume impact of recreation events at the East Bayside Athletic Facility. The applicant attempted to collect the requested information, but due to weather issues, was unable to capture traffic volumes that included field event motorists/pedestrians. I concur with the applicant that the level of service conditions at the Fox Street/Anderson Street intersection would not be expected to degrade substantially and acceptable levels of service would be expected with field activities.

* Per previous comments, the applicant conducted a traffic count on a Friday to capture traffic and pedestrian demand from the Mosque located on Anderson Street north of Fox Street. I concur that based upon the count, the level of service conclusions provided in the original traffic study would not be substantially different given added Mosque related traffic. I would note that the applicants analysis did highlight the heavy pedestrian demand that travels through this intersection and I would note that Phase 1 of the City's Anderson Street Neighborhood By-Way project is proceeding with the project expected to begin before the end of the year. The Phase 1 project primarily consists of improving pedestrian facilities at the Fox Street/Anderson Street intersection.

* I have reviewed the concept site plan graphic provided by the applicant and concur that it provides details that represent elements of the Anderson Street Neighborhood By-Way project. It should be noted that the By-Way project is not implementing any improvements to the 89 Anderson Street corner, with the assumption that a future project will be disturbing this corner. The details provided on the graphic for the 89 Anderson Street corner generally seem acceptable, but adjustments can be expected during the design and site plan approval process.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
 Senior Associate
 Traffic Engineering Director
 [T.Y. Lin International]T.Y. Lin International
 12 Northbrook Drive
 Falmouth, ME 04105
 207.781.4721 (main)
 207.347.4354 (direct)
 207.400.0719 (mobile)
 207.781.4753 (fax)
 thomas.errico@tylin.com<mailto:thomas.errico@tylin.com>
 Visit us online at www.tylin.com<<http://www.tylin.com>>
 Twitter | Facebook | LinkedIn | YouTube

"One Vision, One Company"

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Portland, ME 04104
Office: 207-776-9715
Fax: 207-221-2822
www.redfernproperties.com

June 23, 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 89 Anderson Street. Our current plans for 89 Anderson call for a mixed-use building with commercial uses on the ground floor, including a restaurant and residential rental apartments on upper floors.

Per the attached, the parcel sits at the convergence of several Zones and represents an opportunity to improve an underdeveloped property in a way that will contribute to the neighborhood and City. Per our typical standards, the new building will be constructed to a very high environmental standard. The Application and related development plans would support the City's goals as outlined in the comprehensive plan as follows:

- Create new housing on Portland's peninsula
- Encourage neighborhood business centers
- Maximize Development where public infrastructure and amenities already exist
- Locate and Design Housing to reduce impact on Environmentally Sensitive Areas
- Design Housing to use new technology and materials that reduce costs and increase energy efficiency

In addition, our development plans consider the 2010 report entitled "Creating a Sustainable Vision for Maine's Most Diverse Neighborhood". The report created by a Sustainable Design Assessment Team (SDAT), led by experts from the American Institute of Architects (AIA), and in consultation with local officials, community leaders, technical experts, non-profit organizations, and citizens (including many neighbors) takes a comprehensive look at the East Bayside neighborhood and makes recommendations for

a sustainable future. The intersection at Fox and Anderson Streets is called out as one of several "Places with Potential". The report calls out recommendations for creating "Sense of Place" at this corner and suggests "attracting neighborhood-serving uses, such as a coffee shop or deli", among other things. B-2b zoning would support such uses.

Please find attached the following in support of this application:

1. Zoning Map Amendment Application Form
2. Copy of Purchase and Sale Agreement
3. Vicinity Map Showing Current Zoning
4. Rendering of Proposed Building
5. Proposed Site Plan and Floor Plans
6. Excerpt from report "Creating Sustainable Vision for Maine's Most Diverse Neighborhood" pages 60-62

We are committed to creating a progressive and noteworthy project that will enhance an already diverse and dynamic neighborhood. Please do not hesitate to contact me.

Sincerely,



Jonathan Culley
Redfern Properties LLC



Zoning Map/Text Amendment/Contract or Conditional Rezoning Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the review of requests for zoning map amendments, zoning text amendments and contract or conditional re-zoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Zone Change.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: <http://me-portland.civicplus.com/DocumentCenter/Home/View/1080>

Design Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2355>

Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2356>

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8719

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

PROJECT NAME: _____

PROPOSED DEVELOPMENT ADDRESS:

89 Anderson Street, Portland

PROJECT DESCRIPTION:

Mixed-use building with ground floor commercial and residential apartments on floors 2-4.

CHART/BLOCK/LOT: 12-I-1.5

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Jonathan Culley Business Name, if applicable: Redfern Properties LLC Address: P.O. Box 8816 City/State : Portland, ME Zip Code: 04104	Applicant Contact Information Work # 207-221-5746 Home# Cell # 207-776-9715 Fax# 207-221-2822 e-mail: jonathan@redfernproperties.com
Owner – (if different from Applicant) Name: Perigee LLC Address: P.O. Box 4714 City/State : Portland, ME Zip Code: 04112	Owner Contact Information Work # 207-874-9569 Home# Cell # Fax# e-mail:
Agent/ Representative Name: Address: City/State : Zip Code:	Agent/Representative Contact information Work # Cell # e-mail:
Billing Information Name: Redfern Properties LLC Address: P.O. Box 8816 City/State : Portland, ME Zip Code: 04105	Billing Information Work # 207-221-5746 Cell # 207-776-9715 Fax# 207-221-5746 e-mail: jonathan@redfernproperties.com

Engineer Name: Will Savage, Acorn Engineering Address: 158 Danforth St. City/State: Portland, ME Zip Code: 04102	Engineer Contact Information Work # 207-775-2655 Cell # 207-317-1884 Fax# e-mail: wsavage@acorn-engineering.com
Surveyor Name: Nadeau Land Surveys Address: 918 Brighton Ave. City/State: Portland, ME Zip Code: 04103	Surveyor Contact Information Work # 207-878-7870 Cell # Fax# 207-878-7871 e-mail: jim@nadeaulandsurveys.com
Architect Name: Ryan Senatore Architecture Address: 565 Congress St., Suite 304 City/State: Portland, ME Zip Code: 04101	Architect Contact Information Work # 207-650-6414 Cell # Fax# e-mail: ryan@senatorearchitecture.com
Attorney Name: Eben Adams, Pierce Atwood Address: 254 Commercial St. City/State: Portland, ME Zip Code: 04101	Attorney Contact Information Work # 207-791-1175 Cell # Fax# 207-791-1350 e-mail: eadams@pierceatwood.com

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

The Applicant, Redfern Properties LLC has entered into a Purchase and Sale

Agreement with the Owner, Perigee LLC. The Purchase and Sale Agreement

is attached.

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 property is currently used as a Tire and Auto Service garage. This is

believed to be a non-conforming use.

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.

Redfern Properties intends to build a mixed-use building with ground floor

commercial uses, including a restaurant on the corner of Fox & Anderson.

Floors 2-4 will consist of market-rate rental apartments.

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 FEES:

Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)

Zoning Map Amendment

☒ \$2,000.00 (from R-6 zone to B-2b zone)

Zoning Text Amendment

☐ \$2,000.00 (to Section 14-)

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.)

The City invoices separately for the following:

- Notices (\$.75 each)
- Legal Ad (% of total Ad)
- Planning Review (\$40.00 hour)
- Legal Review (\$75.00 hour)

Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.

APPLICATION SUBMISSION:

1. All plans and written application materials must be submitted electronically on a CD or thumb drive with each plan submitted as separate files, with individual file names which can be found on the **Electronic Plan and Document Submittal** page of the City's website at <http://me-portland.civicplus.com/764/Electronic-Plan-and-Documents-Submittal>
2. The submission shall include the following materials:
 - a. One (1) paper set of the zoning amendment application, concept plan and written narrative.
 - b. Contract and conditional rezoning applications must include 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.

APPLICANT SIGNATURE:

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of Applicant: 	Date: 6/23/2014
--	--------------------



Individual Member
Individual Membership



CBRE | The Boulos Company

CONTRACT FOR THE SALE OF REAL ESTATE

Date: 4/10/14

One Canal Plaza, Portland, ME 04101
(207) 772-1333

RECEIVED OF: Redfern Properties LLC and/or Assigns whose mailing address is PO Box 8816, Portland ME 04112, hereinafter called the Purchaser(s), the sum of [REDACTED] as earnest money deposit and in part payment of the purchase price of the following described real estate, situated in the municipality of Portland, County of Cumberland, State of Maine and located at 25-37 Everett Street, 89-99 Anderson Street and 52-64 Fox Street being all the property owned by the Seller(s) at the above address, and described at said County's Registry of Deeds Book 24750, Page 045 and further described as: two parcels consisting of .469 +/- acre and .067 +/- acre improved by two single story commercial buildings and referenced by the City of Portland Assessor as aMap 12, Block I, Lots 1 and 5 as shown on the attached plan upon the terms and conditions indicated below:

1. **PERSONAL PROPERTY:** The following items of personal property are included in this sale (if applicable): n/a
2. **PURCHASE PRICE:** The TOTAL purchase price being [REDACTED] to be paid as follows: earnest money deposit to be paid into Escrow account upon full execution of the Contract, extension payments for Permitting and Approval, as outlined in paragraph 22, and the balance to be paid by bank check or wire transfer at Closing.
3. **EARNEST MONEY/ACCEPTANCE:** CBRE | The Boulos Company shall hold said earnest money in a non-interest bearing account and act as Escrow Agent until closing, unless otherwise noted in Contract; this offer shall be valid until April 10, 2014 at 4:00 PM; and, in the event of the Seller's non-acceptance, this earnest money shall be returned promptly to the Purchaser(s).
4. **TITLE:** That a deed, conveying good and merchantable title in accordance with standards adopted by the Maine Bar Association shall be delivered to the Purchaser(s) and this transaction shall be closed and the Purchaser(s) shall pay the balance due and execute all necessary papers on or before forty five (45) days following successful completion of inspection period (paragraph 10) and Permitting and Approvals Period (Addendum A). Purchaser agrees to provide written notice to Seller that the conditions have been waived at least five (5) days prior to the first day of the month prior to Closing so the Seller(s) can provide adequate notice to Seller(s)' tenant to vacate the premises prior to Closing. If Seller(s) is unable to convey in accordance with the provisions of this paragraph, then the Seller(s) shall have a reasonable time period, not to exceed thirty (30) days, from the time the Seller(s) receives written notice of the defect, unless otherwise agreed to by both parties, to remedy the title, after which time, if such defect is not corrected so that there is merchantable title, the Purchaser(s) may, within fifteen (15) days thereafter, at Purchaser's option, declare the contract null and void and any earnest money shall be returned to the Purchaser(s) and neither party shall have any further obligation hereunder. If the Purchaser(s) does not declare the contract void within the period set forth above, the Purchaser(s) shall have waived the right to object to title. The Seller(s) hereby agrees to make a good-faith effort to cure any title defect during such period.
5. **DEED:** That the property shall be conveyed by a warranty deed, and shall be free and clear of all encumbrances except building and zoning restrictions of record, restrictive covenants and conditions of record and usual public utilities servicing the property and shall be subject to applicable land use and building laws and regulations.
6. **POSSESSION /OCCUPANCY:** Possession/occupancy of premises shall be given to Purchaser(s) immediately at closing, and the property shall be conveyed free and clear of any tenants or leases, unless otherwise agreed by both parties in writing.
7. **LEASES/TENANT-SECURITY DEPOSITS:** ~~Seller(s) agrees to transfer at closing to Purchaser(s) all Seller(s)' rights under the current leases to the property and all security deposits held by Seller(s) pursuant to said leases.~~
8. **RISK OF LOSS:** Until the transfer of title, the risk of loss or damage to said premises by fire or otherwise, is assumed by the Seller(s) unless otherwise agreed in writing. Said premises shall then be in substantially the same condition as at present, excepting reasonable use and wear.
9. **PRORATIONS:** The following items shall be prorated as of the date of closing:
 - a. Real Estate Taxes based on the municipality's tax year. Seller is responsible for any unpaid taxes for prior years.
 - b. Fuel
 - c. n/a
 - d. ~~Rents~~
 - e. Metered utilities, such as water and sewer, shall be paid by Seller(s) through the date of closing.
 - f. Purchaser(s) and Seller(s) shall each pay its transfer tax as required by the State of Maine.
10. **INSPECTION PERIOD:** The Purchaser(s) is encouraged to seek information from professionals regarding any specific issue of concern. Purchaser(s) acknowledges receipt of disclosure form attached hereto. The Agent makes no warranties regarding the condition, permitted use or value of the Seller's real or personal property. This Contract is subject to the following inspections, with the results being satisfactory to the Purchaser(s):

TYPE OF INSPECTION	RESULTS		TYPE OF INSPECTION	RESULTS	
	YES	NO		YES	NO
a. General Building	☒	☐	g. Lead Paint	☐	☒
b. Utilities to site	☒	☐	h. Pests	☐	☒
c. Geotechnical	☒	☐	i. ADA	☐	☒
d. Survey	☒	☐	j. Wetlands	☒	☐
e. Curb Access	☒	☐	k. Environmental Scan	☒	☐
f. Access for utilities	☒	☐	l. Other: <u>zoning</u>	☒	☐

The use of days is intended to mean from the effective date of this Contract. All inspections will be done by inspectors chosen and paid for by the Purchaser(s). If the result of any inspection or other condition specified herein is unsatisfactory to the Purchaser(s), in Purchaser(s) sole discretion, Purchaser(s) may declare the Contract null and void by notifying Seller(s) in writing within the specified number of days, and any earnest money shall be returned to the Purchaser(s). If the Purchaser(s) does not notify the Seller(s) that an inspection is unsatisfactory within the time period set forth above, this contingency is waived by the Purchaser(s) and the earnest money deposit is paid to the Seller(s) and credited to the Purchase Price if a Closing occurs. In the event of a title defect or Seller(s) default, the Seller(s) shall pay the deposit amount back to the Purchaser(s). In the absence of inspection(s) mentioned above, the Purchaser(s) is relying completely upon Purchaser's own opinion as to the condition of the property.

11. FINANCING: Intentionally Deleted.

12. AGENCY DISCLOSURE: The Purchaser(s) and Seller(s) acknowledge that they have been informed that the Selling Licensee is acting as a Buyer's agent in this transaction and is representing the Purchaser(s) and that the Listing Licensee is acting as a Buyer's agent in this transaction and is representing the Purchaser(s). The Purchaser(s) is responsible for paying the brokerage commission. The Seller(s) shall have no responsibility to pay a brokerage commission. Furthermore, pursuant to Real Estate Commission requirements, the Purchaser(s) provides notice and the Seller(s) acknowledges that a potential partner of the purchasing entity, Drew Sigfridson, is a licensed real estate broker in the State of Maine with CBRE | The Boulos Company.

13. DEFAULT: If Purchaser(s) fails to perform any of the terms of this Contract or is otherwise in default of any of its obligations, Seller shall retain the earnest money as full and complete liquidated damages and shall have no further claims against the Purchaser. If Seller(s) fails to perform any of the terms of this Contract or is otherwise in default of any of its obligations, Purchaser(s) shall have the option of employing all available legal and equitable remedies. Notwithstanding any other provision of this agreement, Escrow Agent shall have the right to require written releases from both parties prior to releasing the earnest money to either party. If a dispute arises between Purchaser(s) and Seller as to the existence of a default hereunder and/or the release of the earnest money and said dispute is not resolved by the parties within (30) days, Escrow Agent may elect to file an action in interpleader and deposit the earnest money in the court to resolve said dispute, or otherwise disburse the earnest money pursuant to Maine Real Estate Commission regulations. Purchaser(s) and Seller, jointly and severally, shall indemnify Escrow Agent for all costs, losses, expenses, and damages, including reasonable attorneys' fees, incurred by Escrow Agent in connection with said action and/or in connection with any dispute relating to this Contract and/or the Deposit.

14. MEDIATION: Any dispute or claim arising out of or relating to this Contract or the premises addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the American Arbitration Association. This clause shall survive the closing of this transaction.

15. PRIOR STATEMENTS: Any verbal representations, statements and agreements are not valid unless contained herein. This Contract completely expresses the obligations of the parties. This is a Maine contract and shall be construed according to the laws of Maine.

16. HEIRS/ASSIGNS: This Contract is assignable ☒ Yes ☐ No. This Contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns (if assignment is allowed by the terms of this Contract), of the respective parties.

17. COUNTERPARTS: This Contract may be signed on any number of identical counterparts, including telefacsimile copies, with the same binding effect as if the signatures were on one instrument. Original or telefacsimiled signatures are binding.

18. BINDING CONTRACT: This Contract is a binding contract when signed by both Seller(s) and Purchaser(s) and when that fact has been communicated to all parties or to their agents. The Effective Date of the Contract is noted below. Time is of the essence of this Contract.

19. REVIEW OF LEASES AND INCOME AND EXPENSE INFORMATION: The Seller(s) shall provide the Purchaser(s) with copies of all leases regarding the subject property within five (5) days of the effective date of this contract. Purchaser(s) shall have ten (10) days from such delivery to review leases and income & expense information regarding the property. If the result of the review is unsatisfactory to the Purchaser(s), in Purchaser(s) sole discretion, Purchaser(s) may declare the Contract null and void by notifying the Seller(s) in writing within the specified number of days set forth above, and any earnest money shall be returned to the Purchaser(s). If the Purchaser(s) does not notify the Seller(s) that the review is unsatisfactory within the time period set forth above, this contingency is waived by the Purchaser(s).

20. Seller(s) and Purchaser(s) acknowledge receipt of the Maine Real Estate Commission Disclosure of Agency Relationship Form (Form #2), if the property is, or has a component of, one to four residential dwelling units.

21. ADDENDA: This Contract has addenda containing additional terms and conditions: YES ☒ NO ☐

A COPY OF THIS CONTRACT IS TO BE RECEIVED BY ALL PARTIES AND, BY SIGNATURE, RECEIPT OF A COPY IS HEREBY ACKNOWLEDGED. IF NOT FULLY UNDERSTOOD CONSULT AN ATTORNEY.

Seller(s) acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 2 1/2% of the consideration unless the Seller(s) furnishes to the Buyer(s) a certificate by the Seller(s) stating, under penalty of perjury, that Seller(s) is/are a resident of Maine or the transfer is otherwise exempt from withholding.


Purchaser

Redfern Properties and/or Assigns

Name/Title

4/9/2014
Date

Soc. Sec. # or Tax I.D. #

Purchaser

Date

Name/Title

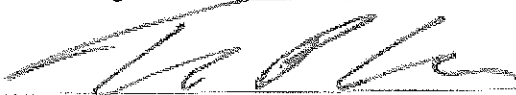
Soc. Sec. # or Tax I.D. #

The Seller(s) accepts the offer and agrees to deliver the above-mentioned property at the price and upon the terms and conditions set forth above.

Signed this _____ day of _____ Effective date of Contract: April 10, 2014

The Listing Licensee is Drew Sigfridson of CBRE | The Boulos Company (Company).

The Selling Licensee is Drew Sigfridson of CBRE | The Boulos Company (Company).


Seller

Perigee LLC

Name/Title

041014
Date

Soc. Sec. # or Tax I.D. #

Seller

Date

Name/Title

Soc. Sec. # or Tax I.D. #

Offer reviewed and refused on _____, Seller

Seen and agreed to:


Seller(s)


Purchaser(s)

Addendum A

1. PERMITTING AND APPROVALS PERIOD: The Contract shall be conditioned upon the Purchaser's receipt of permits and approvals for its planned development, including the expiration of any appeals period. Purchaser shall have **One Hundred Twenty (120) days** after the completion of the inspection period to attain permits and approvals for its planned development on the subject property. In addition, Purchaser shall have the right to five (5), thirty (30) day extensions of the Permitting and Approvals Period, upon payment on each occasion, prior to the end of the Permitting and Approvals Period (as the same may have been previously extended), of an additional [REDACTED]

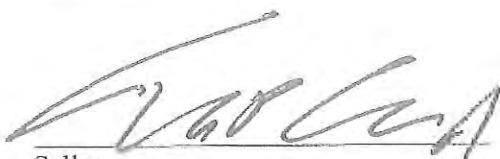
[REDACTED]
Dollars for extensions 4 and 5, if needed, (the "Extension Payments") to the Seller(s), which Extension Payments shall be non-refundable (except in the event of Seller's default under the Contract), but credited to the Purchase Price if a Closing occurs. If Purchaser elects to terminate the Contract within the Inspection Period, the Deposit shall be returned to Buyer; otherwise, the Deposit shall be nonrefundable and retained by Seller (except in the event of Seller's default under the Contract), provided that it shall be credited to the Purchase Price if a Closing occurs.

SEEN AND AGREED TO:



Purchaser

4/9/2014
Date



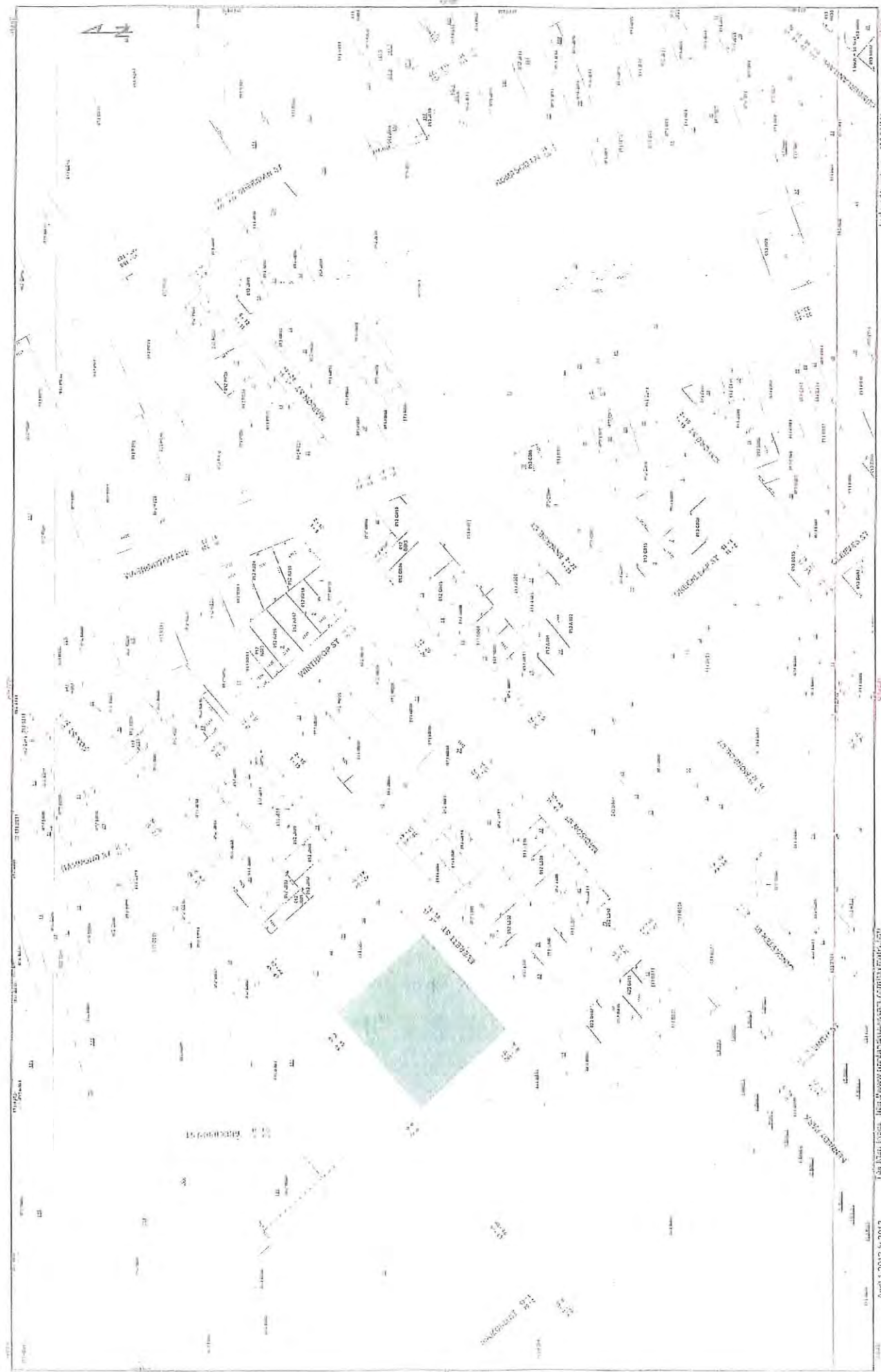
Seller

04/10/14
Date

Seen and agreed to:

TC
Seller(s)

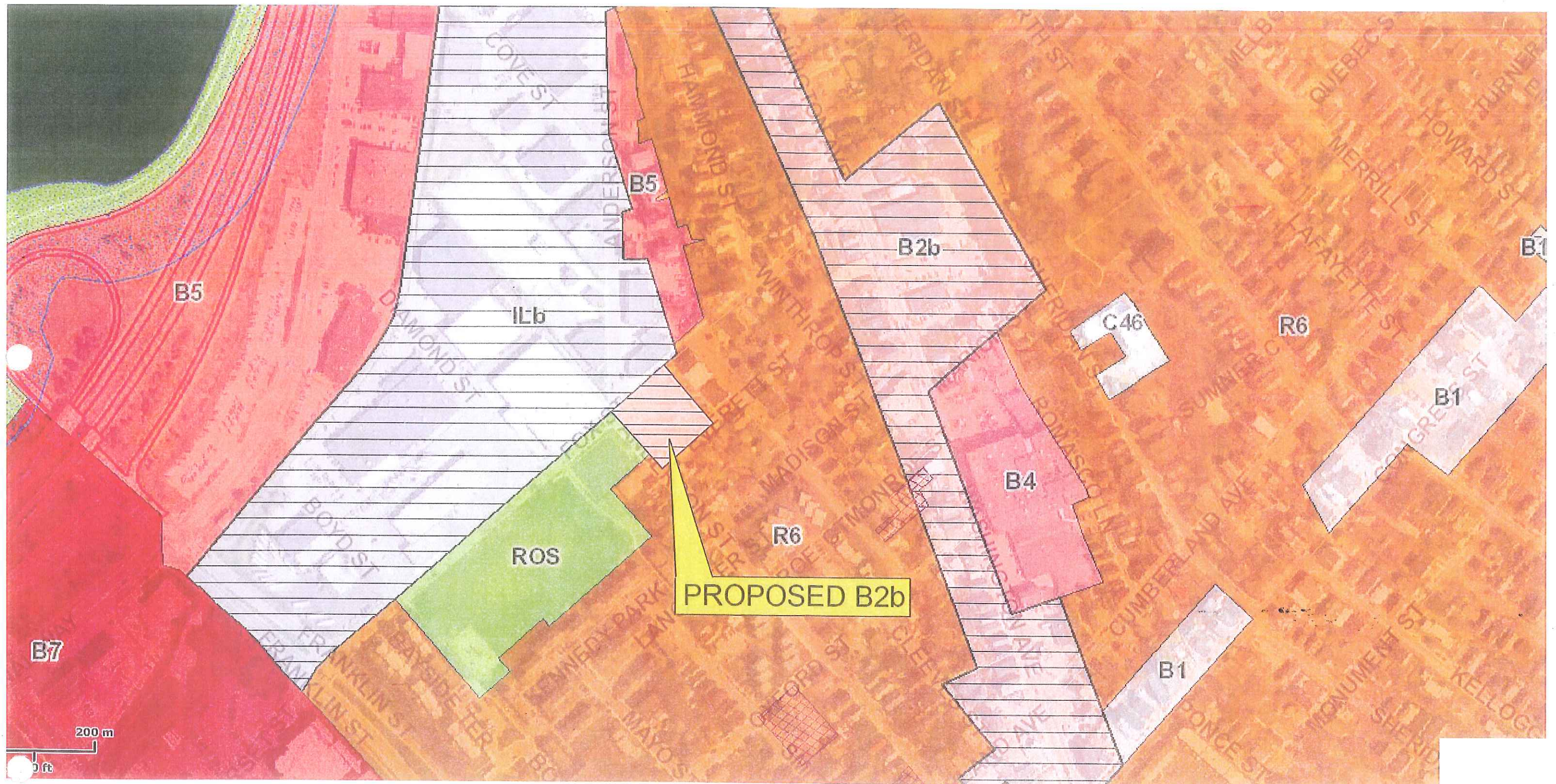
Purchaser(s)



Index Number - 910NW

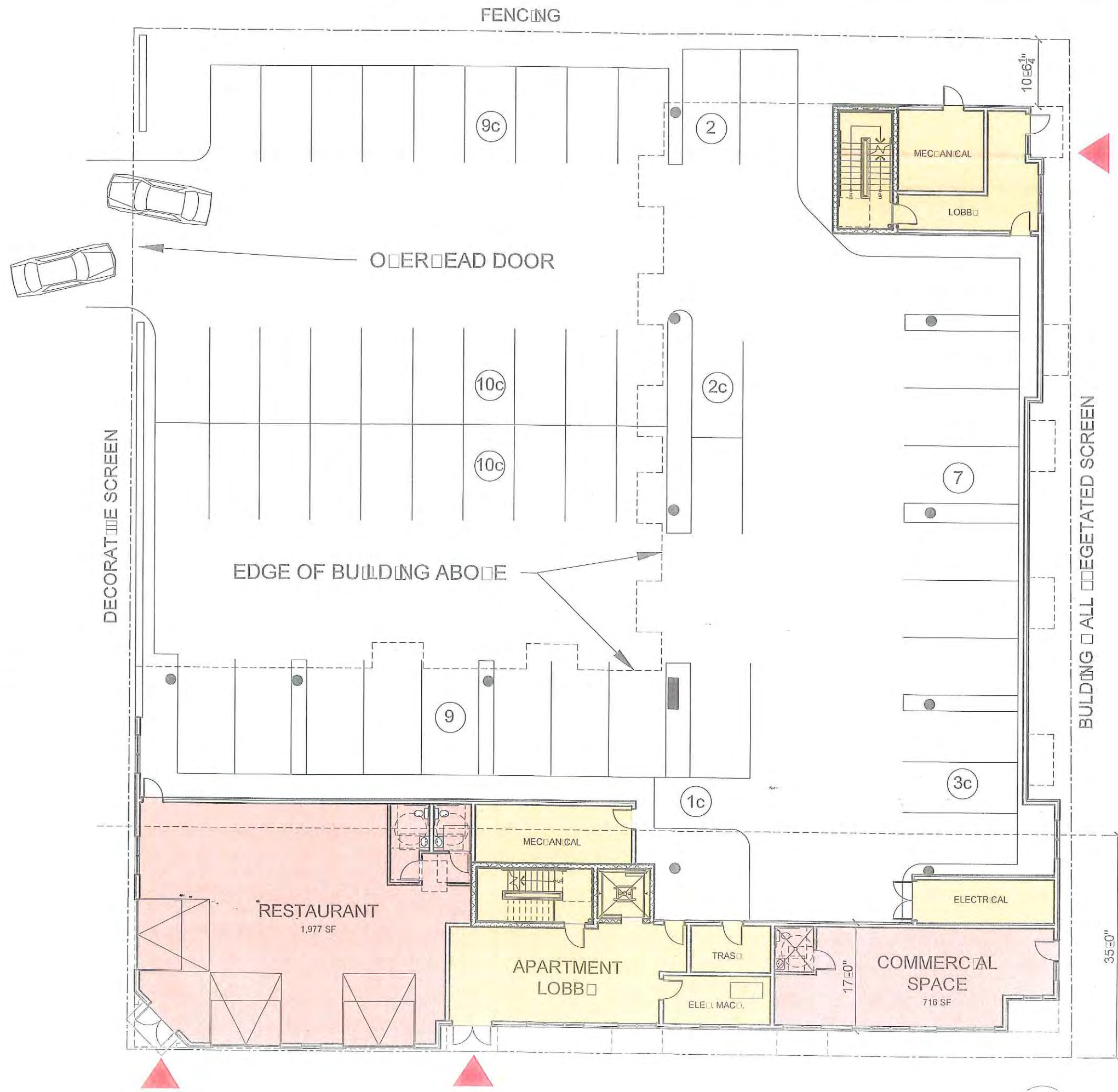
San Francisco, Map of the City and County of San Francisco, California

April 1 2012 by 2013



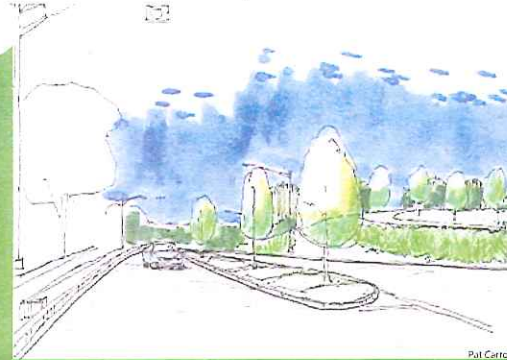


RYAN SENATORE **ARCHITECTURE**





UNIT TABULATION		
UNIT	AREA (SF)	TYPE
201	915	2 BEDROOM
202	952	2 BEDROOM
203	512	1 BEDROOM
204	616	1 BEDROOM
205	512	1 BEDROOM
206	667	1 BEDROOM
207	616	1 BEDROOM
208	396	STUDIO
209	410	STUDIO
210	194	2 BEDROOM
211	410	STUDIO
212	630	1 BEDROOM
213	410	STUDIO
214	512	1 BEDROOM
215	660	1 BEDROOM
216	512	1 BEDROOM
217	615	1 BEDROOM
218	617	1 BEDROOM



PORTLAND, ME SDAT

Creating a Sustainable Vision for Maine's Most Diverse Neighborhood



PLACES WITH POTENTIAL

Place with Potential: Fox and Anderson

The intersection of Fox Street and Anderson Street is a community center both geographically and socially. It is at the juncture between the residential neighborhood and the light industrial/arts district. It includes Fox Field, which is the primary outdoor recreational facility in East Bayside and a gathering place for youth. There is potential for both creating a place where a broader spectrum of community members can gather and for building upon the improvements to Fox Field that the City and community are already making. Some ideas for how Fox and Anderson could be transformed over time as funding is found are listed below.

- Paint crosswalks at the 4-way stop.
- Install curb extensions ("bulb-outs") to increase sidewalk area to emphasize the pedestrian orientation and channelize vehicular traffic. The sidewalk paving could be brick as shown in the adjacent sketches.



Top: Plan view of crosswalks, curb extension and a green space.

Bottom: Bird's eye sketch showing brick paving, street trees and a gateway.



Anderson & Fox
Michael Boleau

Above: The intersection of Fox and Anderson Streets today.

Below: A sketch showing crosswalks, curb extensions, brick sidewalks, a pocket park, street trees and storm-water collection parkways.

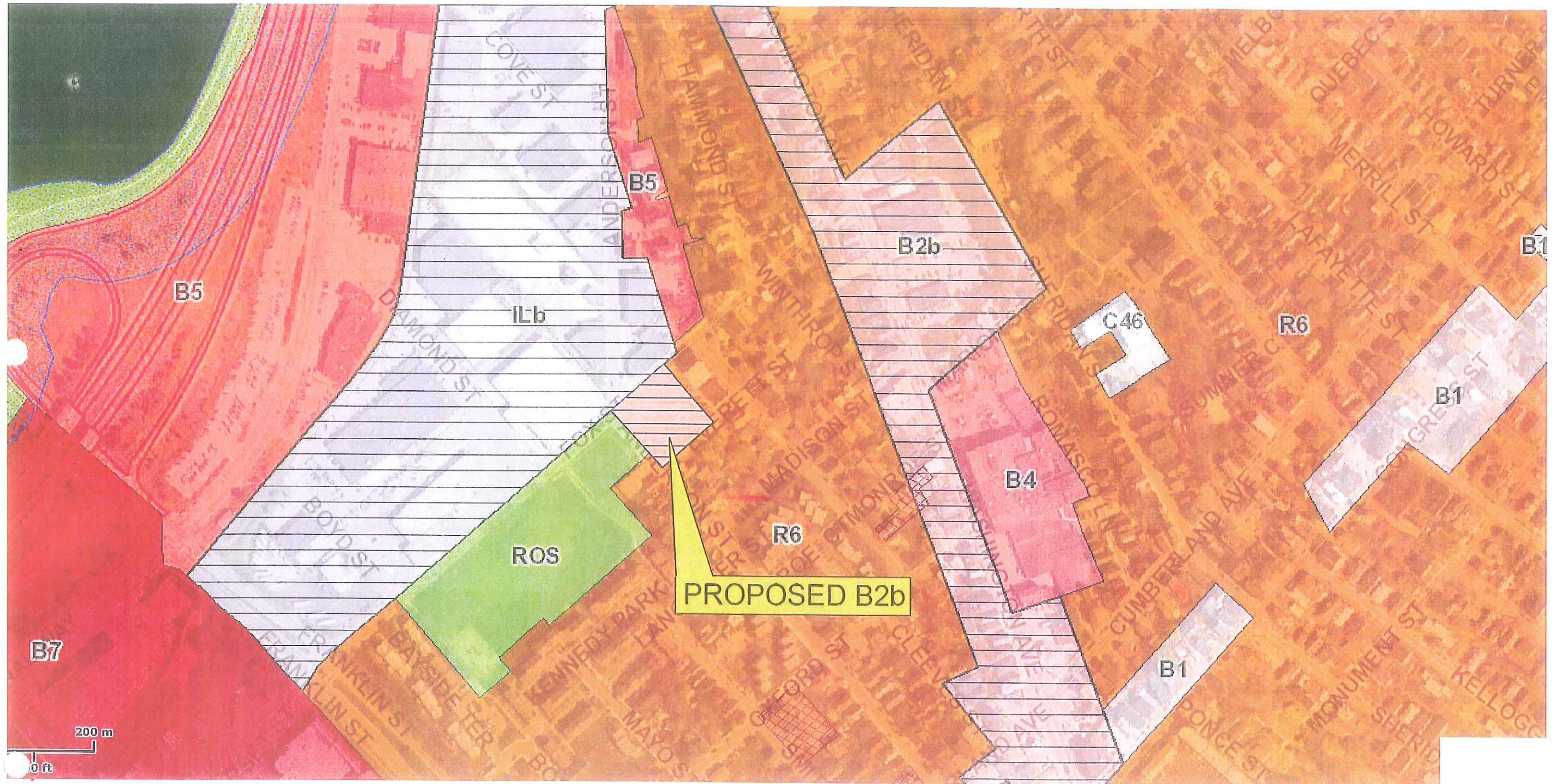
- Working with the property owner and tenant on the northeast corner, add a pocket park on the undeveloped triangle of land and the curb extension with facilities that would complement the uses at Fox Field and support commercial activity.
- Plant street trees in parkways, install pedestrian street lights, and other streetscape improvements.
- Attract neighborhood-serving uses, such as a coffee shop or a deli, to Anderson Street near its intersection with Fox Street.
- Continue to refine facilities around the edges of Fox Field to accommodate complementary park uses, including seating, picnicking, and other park uses. Close the street for special community events and turn the street into a outdoor room.
- Consider programming events at Fox Field.
- Expand the park as more facilities are needed.
- Add a recreation / community center near Fox Field.



Existing sidewalk on Fox Street adjacent to Fox Field.



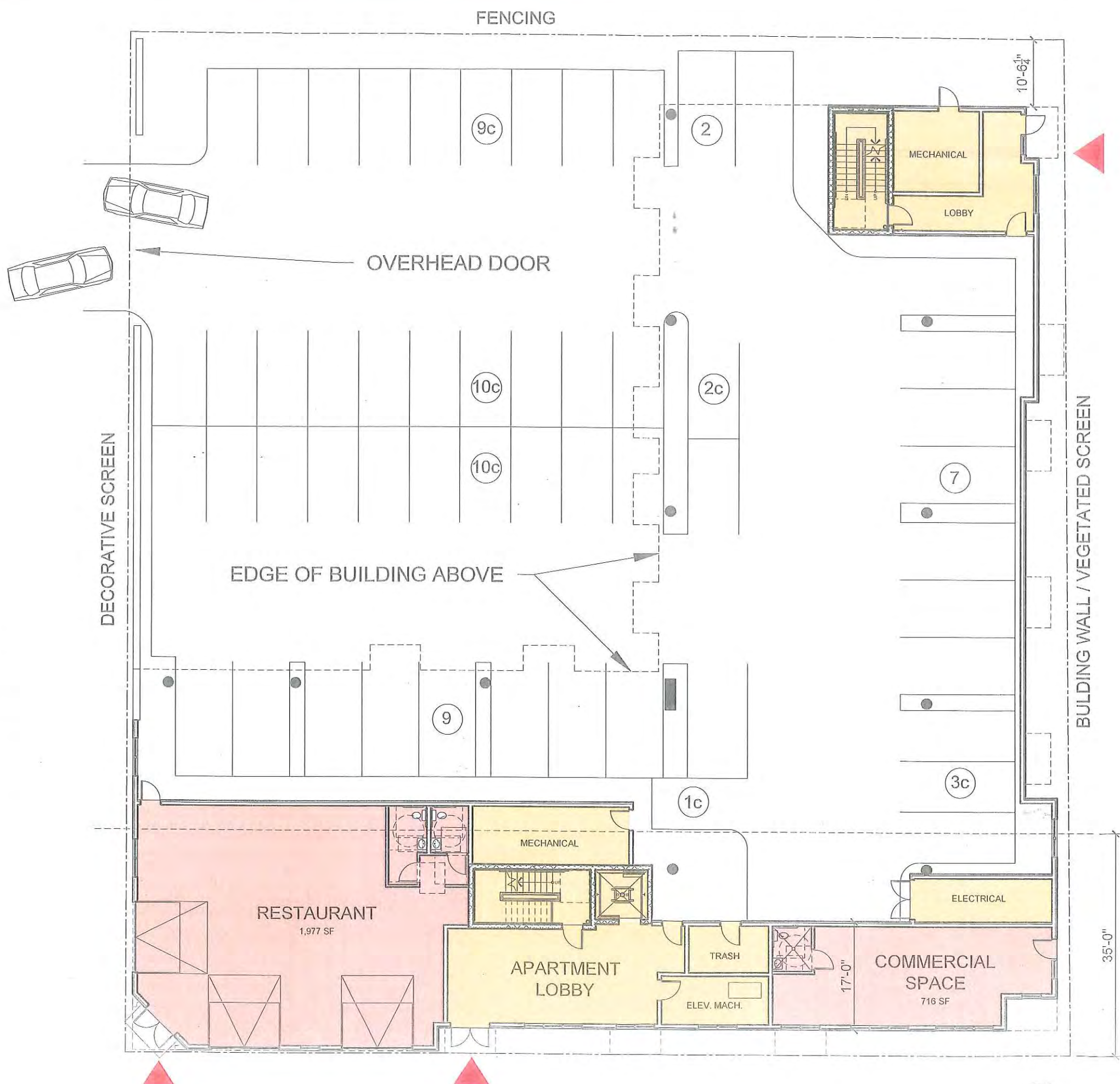
Sketch of sidewalk with curb extension, storm water parkway and trees.



Att. C

FOX STREET

EVERETT STREET





UNIT TABULATION

UNIT	AREA (SF)	TYPE
201	915	2 BEDROOM
202	952	2 BEDROOM
203	582	1 BEDROOM
204	616	1 BEDROOM
205	582	1 BEDROOM
206	667	1 BEDROOM
207	686	1 BEDROOM
208	396	STUDIO
209	418	STUDIO
210	894	2 BEDROOM
211	418	STUDIO
212	638	1 BEDROOM
213	418	STUDIO
214	582	1 BEDROOM
215	668	1 BEDROOM
216	582	1 BEDROOM
217	615	1 BEDROOM
218	617	1 BEDROOM



89 Anderson Street
Neighborhood Meeting Certification

I, Jonathan Culley of Redfern Properties LLC hereby certify that a neighborhood meeting was held on July 16, 2014 at our office at 178 Washington Avenue, Portland at 6:00pm.

I also certify that on July 1, 2014, invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development or within 1000 feet of a proposed industrial subdivision or industrial zone change.
2. Residents on the "interested parties" list.
3. A digital copy of the notice was also provided to Jennifer Yeaton of the Planning Division at jmy@portlandmaine.gov and Nell Donaldson, the assigned planner, to be forwarded to those on the interested citizen list who receive e-mail notices.

Signed,



7/18/2014

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes



P.O. Box 8816
Portland, ME 04104
Office: 207-221-5746
Fax: 207-221-2822
www.redfernproperties.com

July 1, 2014

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a new development at the corner of Fox and Anderson Streets (89 Anderson). The project consists of two commercial spaces on the ground floor and residential rental apartments on Floors 2-4. This meeting pertains to our Application for a Zoning Map Amendment. Should our project go forward, there will be additional meetings in the future that will pertain to a Site Plan review.

Meeting Location: Redfern Office, 178 Washington Ave, Portland
Meeting Date: Wednesday, July 16th
Meeting Time: 6:00pm

The City Code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please contact me at 207-221-5746 or jonathan@redfernproperties.com. I hope to see you at the meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Culley", is written over a faint, larger version of the same signature.

Jonathan Culley
Redfern Properties LLC

Redfern Properties Office, 178 Washington Ave

Address

City of Portland

44 Hammond st. street 5@yahoo

16 Hall St

28 Hammond St.

28 Hammond St.

9 Everett St.

15 Everett St. jmikml@maine.na

18 Marlison St. will @ Tando
Coffee

Resident 23 Fox St. / EBNO ~~Board~~ Member

32 Everett chrouj (2) maine 11/11/19

1/ Boynton st. infinitegoldking@
gmail

SIGN-IN SHEET

89 Anderson Street

Neighborhood Meeting Zone Map Amendment Application

July 16, 2014, 6pm

Redfern Properties Office, 178 Washington Ave

Name	Address
Olha DAVIS	olyadavis@gmail.com
BYRON DAVIS	77 Anderson St bjdavis@gmail.com
Ellen Bailey	17 Hammond St. ebailey66@gmail.com
Cynthia Cochran	17 Hammond St. ccochran@maine.rr.com
Christopher Teret	73 Anderson St christopherteret@hotmail.com
Heather Abt	30 Everett St.
Susan Abt	65 Randall St.
K. Snyder	72 Waterville St. Karsny@yahoo.com
COLLE GASWELL	89 ANDERSON ST.
Sue Lippert	76 Anderson sue.lippert@icloud.com
TIM LIPPERT	76 ANDERSON talippert@gmail.com
Nicole Castner	86 Anderson St mcastner@icloud.com
ISA RATHBAND	9 EVERETT ST.
Evan Carroll	5 Everett
ALEX LEEMAN	51 Hammond
Kathleen McGee	53 Hammond
F. Haynes	178 Washington AVE
Jan + Michelle Hall	9 Apple Way Topsham
REBECCA LEEMAN	23 Fox St. PTLD reeeman@gmail.com

SIGN-IN SHEET

89 Anderson Street

Neighborhood Meeting Zone Map Amendment Application

July 16, 2014, 6pm

Redfern Properties Office, 178 Washington Ave

Name

Karen Farber
Hope Chrupcala

Address

Maine Craft Distilling 101 Fox St.
86 Anderson St hondahawk88@hotmail.com

89 Anderson Street

Neighborhood Meeting – Zoning Map Amendment Application

Meeting held July 16, 2014, 6pm at Redfern Properties Office, 178 Washington Ave, Portland

Meeting Minutes:

Please note that minutes are not verbatim, but we have made our best efforts to reflect meaning and intent.

The meeting began at 6:05pm. Jonathan Culley, principal of Redfern Properties introduced himself and Ryan Senatore, or Ryan Senatore Architecture. Jonathan Culley provided background on Redfern Properties, which has been developing real estate in Portland since 2005. Culley emphasized that Redfern is local, with its office in the East Bayside neighborhood. He described current projects Munjoy Heights and West End Place, and explained Redfern's core values of progressive, super energy-efficient infill developments. Culley explained Redfern's view that infill development and increasing urban density benefits our environment as well as our cultural institutions; that reversing 'suburban sprawl' is good for our society.

Culley explained City of Portland's approval process, that this evening's meeting is related to the Zoning Map Amendment Application and that if the Zone change is approved there will be a Site Plan review which is a more detailed process focusing on the more technical aspects of the project such as traffic, parking, stormwater, architectural design, landscaping, etc. Culley said there will be another neighborhood meeting related to Site Plan review if the Zone Change is approved.

Culley discussed why Redfern is pursuing B2B zoning, explaining that the R7 Zone would allow for the same building size and residential density, but would not allow for the ground floor commercial space. He referred to the 2010 AIA "A Vision for East Bayside" Study which recommended a community gathering space, such as a deli or coffee shop at the corner of Fox and Anderson, and that this is only feasible with Business Zoning. Culley described both ground floor commercial spaces and shared Redfern's vision for a community room, perhaps in cooperation with East Bayside Neighborhood Organization (EBNO) or some other non-profit, community based organization. Culley indicated Redfern's willingness to provide a 'no-cost' lease to a well-suited non-profit organization to use this space, and create a positive street presence on Anderson Street. Culley described how Redfern is engaged with Bruce Hyman of the City of Portland to improve the sidewalk/crosswalk design that the City if working on should the project go forward.

Culley presented a Zoning Map and showed how 89 Anderson street is at the convergence of a number of different zones, with R-6, R-7, ILB, B5, and B2B all within a few hundred feet of the property.

Ryan Senatore shared a preliminary rendering of the building and described the architectural elements of the current design. He discussed our architectural strategies to address scale and massing. He described the elements on the ground floor commercial spaces and how they are designed to interact with the street.

The presentation was concluded and the floor was opened for questions and comments. Questions and comments are in bold:

Q. Are you planning on green space in the back?

Culley described plans for strips of green space around the parking lot and for vegetative elements between the sidewalk and building, but explained that we do not have a final site plan.

Q. Where is the entrance to the garage? Several concerns were expressed about a potential vehicle entry on Fox Street, related to traffic patterns on Fox Street.

Culley responded that the site plan presented was preliminary and that we did not have strong views about whether the parking entrance was on Fox or Everett and that a traffic study would be commissioned later in the process that would inform those design decisions.

Q. Is the entire lot built? Avesta typically uses 80/20 providing for some green space.

Culley discussed the difference between lot coverage and green space, explaining that our lot coverage was less than 60%, and reiterated that % green space was to be determined.

Comment: I have a philosophical difference am not into density, it is not what I would choose for our City.

Q. What is the unit mix, will these support families.

Culley indicated that the current plan was for roughly 10 studios, 31 1-bedrooms, and 12 2-bedrooms, and that this was very preliminary and would be determined by market demand.

Q. How many total apartments?

The Zoning would allow for up to 53 apartments and that is the current plan.

Q. How much parking are you planning?

53 spots, one spot for each apartment.

Q. What if two people share an apartment and they each have two cars, where do they park?

Culley indicated that Redfern is seeing a number of situations where people living in Portland don't have cars and this may balance out, but that a parking and traffic study which be done later in the process.

Comment: My building has 3 units, and there are 5 cars.

Comment: My main concern is that there is a crisis of affordable housing and the neighborhood is becoming unaffordable.

Culley explained that his view is that this project will improve affordability and not hurt it. He explained his view that the best way to improve affordability is to introduce new supply to address the demand. By bring the apartment supply closer in line with apartment demand, affordability should improve.

Comment: I disagree with that response. The things that improve affordability are inclusionary zoning and rent control. It is irresponsible to be building housing without addressing affordability. The neighborhood is changing and some working people are being forced out.

Culley explains that these are not high-priced condominiums that they are more modest market-rate apartments, and would be significantly less expensive and downscale from the West End Place building we are doing on the West End.

Q. I have been studying zoning. Why not leave it R6? This could support 23 units, why wouldn't 23 units work?

To cover land and construction costs, if we were to build 23 units, they would need to be high-end condos for the project to be feasible and we don't want to do that. We believe that building modest, market-rate apartments for working people is better for this site.

Q. I was looking at B2C Zoning and wondering if that would provide more protection for the neighborhood?

Culley said he did not know what B2C zoning was but would look into it. Nell Donaldson, planner with City of Portland indicated that she was not overly familiar with B2C zoning.

Q. Will Redfern be managing the building?

We are not a property manager, but we do intend to own the building for a long time. We would hire a professional property management company.

Comment: Business on Fox in the ILB are worried that if residential development continues that the commercial/industrial district may be at risk and rents will rise.

Culley responded that he understands the City Council to be very protective of the ILB zone and he wouldn't expect residential development in the ILB anytime soon, but that is not something he is expert on, and that this would be a question for the City.

Q: 3Gs is providing a function for the area. Now we will have to drive to South Portland to get our cars serviced. Has there been any thought to a different type of business that would serve the community on the ground floor? The last thing we need is another restaurant.

We are not marketing the space and are not tied to a restaurant, but is largely in response to the AIA study. A grocery store wouldn't work well because of Whole Foods, but we don't know exactly what the commercial space would be, and we remain open minded.

Q. Did you consider a three-story building without the commercial space, but still 53 units.

This wouldn't work because we need parking on the ground floor. The building is largely above the parking. Culley referred again to the site plan and explained how the parking sits in relation to the commercial and residential spaces.

Q. Is there a plan for parking for the businesses?

Culley explained that the City would likely require some parking for the businesses, depending on the type of use, but he thought that a restaurant would require some parking. He suggested that this might be solved with leased parking off site.

Q. Is there anyplace else in the City that has something similar in scale within a R6?

Bayside Anchor was recently approved and is an excellent comparison, Walker Terrace and 53 Danforth are 2 R7 type buildings. Nell Donaldson, planner, City of Portland, explained that much of East End and West End is R6 and there are some big buildings.

Q. Can the neighborhood support this density?

Nell Donaldson reiterated that the Planning Board will take a general review of density during the Zoning review but will take a very detailed review during the Site Plan review and will consider traffic, stormwater, etc., all the things that determine whether the neighborhood can support this density.

Q. Is anyone taking a holistic view of growth and how Portland's overall growth impacts traffic?

Traffic on Fox street is getting bad. It seems like no one is looking at the big picture.

Nell Donaldson explained that every site plan review requires a traffic engineer and that any traffic analysis should address 'background traffic assumptions' and all of the projects that have come before would be included in any traffic study. An open discussion about traffic on Fox Street ensued.

Q. You talked about the process for rezoning and then Site Plan review. The order seems backward. Can you explain the process again. If you get a zone change but not Site Plan review, would the zone revert back to R6?

Nell Donaldson explained the zoning process and the rationale for the process.

Q. You said that roughly 10% of the 300,000 Greater Portland population lives on Portland peninsula? How are you defining Greater Portland?

Culley apologized saying his numbers were approximate and not precise, but were meant to reflect his view that we have an opportunity to have a denser city and with increased urban density will come a lower carbon footprint, more vibrant neighborhoods, and more successful arts and cultural institutions.

Q. Is this building going flush with the sidewalk? Would the balconies overhang the sidewalk?

Ryan Senatore reviewed the Site Plan and showed how the building is at the sidewalk/property line on the corner of Fox and Anderson, but we are holding the façade 4' back from the sidewalk for most of the property. These balconies would not overhang.

Q. How do the apartments on Marginal Way do?

Culley explained that this was student housing, set up more as a dormitory than apartments, and that, he understood them to be successful, though had no first-hand knowledge.

Q. How many apartments are in your West End building?

Culley responded 39 units, that it was a similar building but on a slightly smaller lot.

Q. Are there any buildings going up that look similar to this?

Culley responded that he hoped the building was 'unique' but the West End Place building and the 118 Congress building were somewhat similar in scale, organization, etc.

Q. It sounds like you are thinking about a vision for a greener city, but I want to encourage you to think about where do the plumbers and electricians live? Where do the working class people live? Please think about the relationship between class and environment.

Culley: I appreciate these points. While it is certainly a question of numbers, I don't think that working class people will be excluded. These are not upscale units. While the term affordable is subject to some debate, we envision that this is a place that a school teacher could afford to live.

Comment: Several people weighed in on the question of what is affordable. One participant calculated that someone making \$12 an hour, which is above minimum wage, would have to exceed the recommended income as % of rent guidelines to live here. Another participant who was a teacher opined that a beginning teacher would have trouble paying \$1,000 per month in rent for a studio apartment. A number of neighbors expressed sincere concerns about affordability.

Culley again indicated that these are complex problems, and we share these concerns about housing affordability, but that we remain of the view that more supply of market rate apartments will increase overall affordability of housing in Portland.

Comment: In cities like New York and San Francisco, that have gotten bigger and more expensive, I wonder where the people who work in grocery stores live. Portland is growing now and it is very important that we get this right. I am very concerned about families and how they will be able to afford to live on the peninsula.

Culley, one more comment, as an owner of apartments, we will not set the market. It is possible that instead of getting \$1,000, we only get \$800 per month and we might lose money. The market will set the rents. People will only pay what they can afford to pay. It is a complex socio/economic discussion.

Q. You mentioned your unit mix. Was there any discussion of doing a 3-bedroom unit?

Culley: Our unit mix is not final, and will be driven by perceived market demand. The trend seems to be for smaller units, as opposed to bigger units, but we will keep looking to the market for information before we finalize our unit mix. Right now, the market seems to be for studio, 1 and 2 bedroom apartment.

Q. Question to Nell Donaldson: What kind of things are you as a planner and what is the Planning Board looking for to base you decision on the Zone Change request?

Nell Donaldson: The basic threshold is whether the Zone change is consistent with the Master Plan/Comprehensive Plan.

Q. Jonathan, what is your backup plan if you do not get the zone change?

We most likely would not go through with our purchase of the property. Our contract, as is typical, is contingent on getting our approvals.

Q. What is the Planning Board meeting schedule?

Nell Donaldson: The meeting is next Tuesday, July 22 at 4pm in room 209 at City Hall. The workshop starts at 4pm, but this is the 3rd item on the agenda so it likely won't be reviewed before 5pm. After the workshop, the Planning Board may request another workshop or they might schedule a public hearing at which they will take a vote. Public Comment will be taken at workshops and public hearings.

Q. Why does the City keep changing and relaxing ordinances in order to permit new developments? How do you protect the residents?

Nell Donaldson: This is complex, but we make zoning and ordinances and then things change, but zoning remains static. The City tries to adapt to emerging trends. The City is actively trying protect your interests, while responding to demands from many constituencies and demographics. East Bayside is changing and we want to protect the things that are good, while allowing for organic growth.

Comment: We feel like we are not being protected, like the sale of Congress Square Park and the way the mayor was robo-calling before the vote. We feel like it is pro-development.

Nell Donaldson: These are good concerns, and while you may feel like you are not being listened to, I can tell you that City Staff talks a lot about these issues and concerns. Please come to the Planning Board and express your opinions.

Comment: I am not sure the purpose of this meeting, but it seems like you are asking us for something, and you have a duty to consider our comments and make some structural changes to your proposal. It does not sound like you have agreed to any changes at this meeting, and so I will go to the Planning Board and say that I do not see any reason to allow for this Zoning change.

Culley: I am certainly listening to everyone's comments and concerns. I think the real purpose of this meeting is to share information, rather than to negotiate changes. We have tried to be very transparent in describing the project, and giving you the information you need to create some opinions. We have

1

tried to tell you why we think this is good for Portland. While I would like to get support of all neighbors, I understand if some of you don't support the project, and I certainly respect your opinions.

Q. Could this deal be viable for you if the building was smaller?

I don't think the project would be viable if it was materially smaller. I don't think we could get our Bank to fund the project.

Comment: I don't agree that this project will reduce rents in Portland. I don't believe that if traffic is bad, it helps to build another lane.

Q. In the name of transparency will you share your financial figures that you have been showing the Bank?

We certainly have assumptions, and while I am not willing to share my personal financial details, I can share that we are currently projecting average rents of around \$1,200. Rents for studios would be lower and 2-bedrooms would be higher. These are the current directions.

Comment: I can't imagine that 53 units is a magic number.

Again, the deal would not be viable if there were many fewer than 53 units. I can't say whether the breakeven or viability threshold is 49,50,51, etc., but I can certainly say that this deal wouldn't work with 40 units. 53 is the allowable units per the zoning. We would need to be very close to 53 units to make this work.

Comment: The number one consideration is not the amount of profit you make, but the impact on the neighborhood.

Culley: I agree. As I stated, we work here and live here and will be living with and around our developments and we only want to do good development. The City process is there to protect the neighborhood. Also, I offer that we have built buildings in the past that people were against and then we built them and they decided they weren't so bad, maybe they even liked the change. Maybe some of the people who move into this building will be interesting people who add to the fabric of the neighborhood. Change and uncertainty are difficult for neighborhoods and we understand that.

Q: What is the market rate for a studio apartment?

Culley: I know of studio apartments on Congress Street that rent for around \$900. There are certainly units that rent for less, but for newer apartments, maybe \$900. We expect our studios to be between \$900-1000 per month. Again our assumptions are roughly \$900-1000 per month for studio apartments, \$1100-1200 for one bedrooms and slightly higher for two-bedrooms.

Comment: An \$1,000 studio apartment is really expensive. I am looking to pay about \$450 per month. Adding these apartments to East Bayside doesn't help.

Culley, I appreciate your point. I am not trying to define 'affordable'. We are only saying that adding to housing supply should improve affordability based on the law of supply and demand.

Comment: I am an electrician, and I have a family, and I own a house and my mortgage is \$760 per month and I am struggling to pay the bills. I am scraping by. This is real. Please be honest and look at the reality of how people are living. Face up to the reality that this is not affordable.

Comment: I just did some calculations. If you pay 40% of your income for housing, and work 40 hours per week, you would need to make \$12 an hour to afford one of these apartments. Minimum wage is nowhere near \$12 per hour. We would like to get minimum wage up to \$12 per hour in Portland.

Culley, I would be for it!

Q. What about the people who are living behind the parking lot. What is the rear setback?

Ryan Senatore: There is a 10' setback, but their building doesn't go to the property line. There is a parking lot for their building.

Culley: There will likely be a retaining wall between the properties.

Comment: It is important that people come to Planning Board meetings and speak up. Or email the City.

Nell Donaldson: Please come to the meeting or email me and your comments will be included in the Planning Board. My email is hcd@portlandmaine.gov

Q. How often do these projects get turned down by the Planning Board?

Nell Donaldson: Not very often. However many projects are changed. There is a Site Plan Ordinance that sets many criteria, including parking, stormwater, etc. When plans do not meet these standards, they must adapt to meet the criteria.

Comment: But the ordinances are being bent.

Nell Donaldson: The ordinance has a number of subjective criteria and the Planning Board has to make some decisions.

Q. How many citizens will it take to slow down the development happening in Portland? In 2012 there were 60 building permits, in 2013 there were 450.

Nell Donaldson: Yes, things have been busy. I encourage people to get involved and make comments and get involved. The Director of Planning is very interested in getting involvement from citizens and hearing people's opinions.

Q. Is the Comprehensive Plan available on the City website? Is there a plan for East Bayside?

Nell Donaldson: Yes it is. I am not sure exactly where it is but it is on the City web site. Comprehensive Plan is a collection of plans that have been developed over the years.

There is not necessarily a plan for each neighborhood.

Q. How does a parking/traffic study fit in to the Planning Board meeting?

Nell Donaldson: The Board may talk generally about parking and traffic, but the detailed discussion would happen later during Site Plan review.

Q. The Workshop is next Tuesday, do we know the next meeting would be?

Nell Donaldson: After the workshop the Board will either request another workshop or schedule a Public Hearing where they would take a vote on whether to recommend to the City Council. We do not have a date yet for any subsequent meetings.

The meeting was adjourned at 7:37pm.

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September 11, 2014

Nell Donaldson
Planning Division, City of Portland
389 Congress Street, 4th Floor
Portland, ME 04101

Re: 89 Anderson Street, Zone Change Application

Dear Nell:

Please find attached revisions and supplemental materials related to our Zone Change Application for 89 Anderson Street.

First, please note that based on feedback from the Planning Board Workshop, and City Staff, we are prepared to revise our Zone Change Application to request B-1b (Neighborhood Business Zone), where we were previously seeking B-2b. This revision is conditioned upon text amendments to the B-1b that would reduce the 'rear yard' setback requirement to 10' or less, and any other required amendments arising from an interpretation by the Zoning Administrator. We understand that the process of making a series of text amendments to the B-1b is underway, and that 'rear yard' setback would be included in the proposed changes.

We agree with City Staff that the B-1b is, in many ways, a more appropriate zone for this neighborhood location, providing more security to neighbors in terms of potential business uses. Further, the zone appears to be designed specifically for locations such as 89 Anderson, per the following excerpt from the Zoning Ordinance (page 14-239 of the Land Use Code):

"The Zone also provides the opportunity for mixed-use and high residential density in on-peninsula locations....Suitable locations for this zone may include street intersections, arterial streets, and site with existing or traditional neighborhood retail and service uses"

Clearly 89 Anderson meets the criteria for B-1b suitability as stated in the Ordinance, as it is located at an intersection, on an arterial street (Fox Street), and the neighborhood has many existing businesses.

Also attached to this letter is a **Traffic Impact Study**, prepared by William Bray, P.E. Though not typically required for a Zone Change application, we hope that the Traffic Impact Study can provide comfort to neighbors and the Planning Board that the proposed development will not create adverse impacts. The study concludes that:

“The operational analysis conducted for the three study intersections clearly shows that traffic generated by the proposed apartment complex has virtually no impact on traffic operations at any of the three study intersections.”

However, the study also identifies some problems on Fox Street that should be addressed. Should our project go forward, we would hope to work closely with the neighborhood and the City, to advocate for safety improvements along the Fox Street corridor, and particularly at the Fox/Washington intersection.

Please also find attached a more detailed *Comprehensive Plan Analysis*. The analysis focuses on the City's Housing Goals, and how the proposed project will have an important impact in meeting the stated Policy objectives. While the 2002 Comprehensive Plan document entitled *Housing: Sustaining Portland's Future* emphasizes the need for new housing, it is important to note that this need has become far more pressing in recent years. Availability and affordability of housing in Portland is at or near crises levels. Experts generally agree that new housing supply is the best way to address these challenges. In particular, new market-rate rental housing, such as our proposed project is a vital component of any solution to Portland's housing problems.

Finally, attached are a series of *Architectural Renderings* that show the proposed building in the context of the surrounding built environment. We believe that these images demonstrate a wide variety of forms and massings in the immediate neighborhood, and that the proposed building is appropriate in size and scale.

Please do not hesitate to contact me with any questions about the attached.

Sincerely,



Jonathan Culley
Redfern Properties LLC

Attachments: Traffic Impact Study (52 pages)
Comprehensive Plan Analysis (5 pages)
Architectural Renderings (9 pages)

89 Anderson Street Zone Change Application Comprehensive Plan Analysis

The City of Portland's Comprehensive Plan articulates goals for a denser, more populous, and more vibrant City. The proposed project at 89 Anderson is consistent with the Plan's goals and objectives in many ways, including those included in this document. This document demonstrates the 89 Anderson Street project's consistency with the document entitled *Housing: Sustaining Portland's Future* which was adopted as part of Portland's Comprehensive Plan in 2002. Please note that the Housing shortage in Portland has become far more pronounced since this Comprehensive Plan document was created in 2002. Relevant excerpts from the Comprehensive Plan document are shown in bold, while our responses are in regular (non-bold) type.

Document: *Housing: Sustaining Portland's Future* Adopted November 18, 2002

Portland Today: A Shortage of Housing

Condition One: Portland has a shortage of housing units because nearly two households were formed for every new housing unit created since 1990. (page 26)
The proposed development addresses the housing shortage by adding housing supply.

Condition Two: Lack of housing supply causes price increases for both renters and owners. (page 26)
The proposed project creates new housing supply which will contribute to improving housing affordability.

Condition Three: Portland has limited vacant land suitable for new development, thus infill sites and redevelopment options are the primary opportunities for creating new housing. (page 27)
The proposed project is the redevelopment of a currently underutilized site and with a non-conforming use.

Ensure and Adequate and Diverse Supply of Housing for All

Policy #1: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future. (page 29)
The only way to ensure adequate housing supply is to create new housing. Further, the 89 Anderson project fulfills the currently unmet need for market-rate rental housing.

Housing development in Portland in the last several decades has been mostly either low-income subsidized housing or condominium housing, while the number of market-rate rental apartments has declined due to demolition or conversion to other ownership types.

Objective 1.a: Ensure construction of a diverse mix of housing types that offers a continuum of options across all income levels for both renter and owner-occupied. (page 29)

Per above, there has been very little new construction of market-rate rental apartments. The 89 Anderson project will meet the housing demand for renters who earn around the median income for the region.

Objective 1.b: A variety of housing choices should be available such that no one should have to spend more than 30% of their income for housing. (page 30)

Per above, there is ample supply of condominium homes in the Portland market, and there have been several hundred new subsidized units completed in the last several years (though there is still unmet demand), but almost zero new market-rate units. The projected (pro forma) rents for the 89 Anderson project are below 30% of the U.S. Government's established Median Income for the Portland ME HUD Metro FMR Area (source: <http://www.huduser.org/portal/datasets/il/il2014/2014summary.odn>). Per the 'huduser' website, the Median Incomes for various family sizes and 30% of income levels are as follows:

Family Size	Median Income (Per HUD)	30% Median Income	89 Anderson Projected Rent
1	\$54,200	\$1,355	\$1,000
2	\$61,900	\$1,548	\$1,300
3	\$69,600	\$1,740	\$1,600
4	\$77,300	\$1,933	\$1,750

Note: The 89 Anderson Projected Rent contemplates a 'Studio' apartment for the 1 person family, a 'one-bedroom' for the 2 person family, a smaller 'two-bedroom' for the 3 person family, and the largest 'two-bedroom' for the 4 person family.

The table above demonstrates that our projected rents are less than 30% of the Median Income as defined by HUD. So by definition, the 89 Anderson apartments would target those near the middle of the income strata.

Objective 1.c: Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation. (page 30)

The 89 Anderson project is located a short walk from downtown (about 13 minutes by foot), and near public transportation, grocery stores, schools (Portland High School, East End Community School), and other services. It represents an ideal location for higher density housing.

Objective 1.d: Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords. (page 31)

89 Anderson will increase the rental housing stock, providing new construction housing, with exceptional energy efficiency, and modern amenities, creating a new type of housing, not currently available.

Objective 1.g: Identify vacant land and redevelopment opportunities throughout the city to facilitate the construction of new housing. (page 33)

The proposed project is the redevelopment of a currently underutilized site and with a non-conforming use.

Objective 1.h: Promote Portland as a Pro-Housing Community. (page 33)

Providing Zoning that would make feasible a market-rate rental housing project would demonstrate that Portland is serious about addressing its Housing needs.

Neighborhood Stability and Integrity

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. (page 43)

89 Anderson meets Portland's housing needs on neighborhood scale (i.e. without altering current block design). By adding ground floor commercial uses at a location on a key intersection and across from a major public park, 89 Anderson adds to 'sense of place' in the East Bayside neighborhood.

Objective 3.a: While accommodating needed services and facilities, protect the stability of Portland residential neighborhoods from excessive encroachment by inappropriately scaled and obtrusive commercial, institutional, governmental, and other non-residential uses. (page 43)

The current use of 89 Anderson is non-conforming. B1-b Zoning limits the type of businesses to those that are compatible with residential neighborhoods.

Objective 3.b: Support Portland's livable neighborhoods by encouraging a mix of needed uses and services within walking distance of most residents. (Page 43)

The B1-b zone encourages uses and services compatible with residential neighborhoods, thus supporting the planning concept of 'walkable neighborhoods'.

Objective 3.c: Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood. (Page 44)

East Bayside is an eclectic neighborhood with a wide range of buildings ranging from large multi-family (Bayside East at Smith/Oxford St., Portland Housing Authority), mid-sized multi-family (Greenleaf Apartments abutting 89 Anderson), small multi-family and

single family homes, and large industrial buildings across Fox Street from 89 Anderson. The new building at 89 Anderson will be similar in scale and character to Bayside East and the recently approved Bayside Anchor, while creating a connection to the larger industrial buildings across Fox Street.

Objective 3.d: Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation. (Page 44)

89 Anderson is adjacent to a large public park/open space and is in close proximity to many services and bus routes.

Objective 3.e: Ensure the integrity and economic value of Portland's neighborhoods. (Page 45)

The substantial investment in the 89 Anderson project should serve to improve safety and security in the neighborhood, while potentially increasing the value of nearby properties.

Objective 3.g: Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse. (Page 46)

East Bayside is currently largely populated by owner-occupied homes and subsidized housing. New market-rate housing would add a new type of housing and increase economic diversity in the neighborhood.

Sustainable Development

Policy #5: 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. (page 53)

The planning of 89 Anderson is based on the principles of 'smart growth' development. By creating high-density housing on the Portland peninsula in a previously developed, but non-conforming parcel, the project is consistent with sustainable development patterns.

Objective 5a: Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services, and an affordable tax rate. (page 53)

The mixed-use project at 89 Anderson will create a new type of housing choice (adding to diversity of housing options), close to employment centers and public transit. The project will provide substantial new tax revenue, likely with minimal associated expense.

Objective 5 b: Maximize development where public infrastructure and amenities, such as schools, parks, public/alternative transportation, sewer lines, and roads exist or may be expanded at minimal costs. (page 53)

89 Anderson Street is across the street from a large public park/open space, and is built on existing roads with existing utility infrastructure.

Objective 5.c.: Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing. (page 54)

By helping to alleviate Portland's housing crunch, 89 Anderson helps Portland become a more attractive home for employers.

Objective 5.d.:Encourage neighborhood business centers throughout the city to reduce dependence on the car and to make neighborhood life without a car more practical. (page 54)

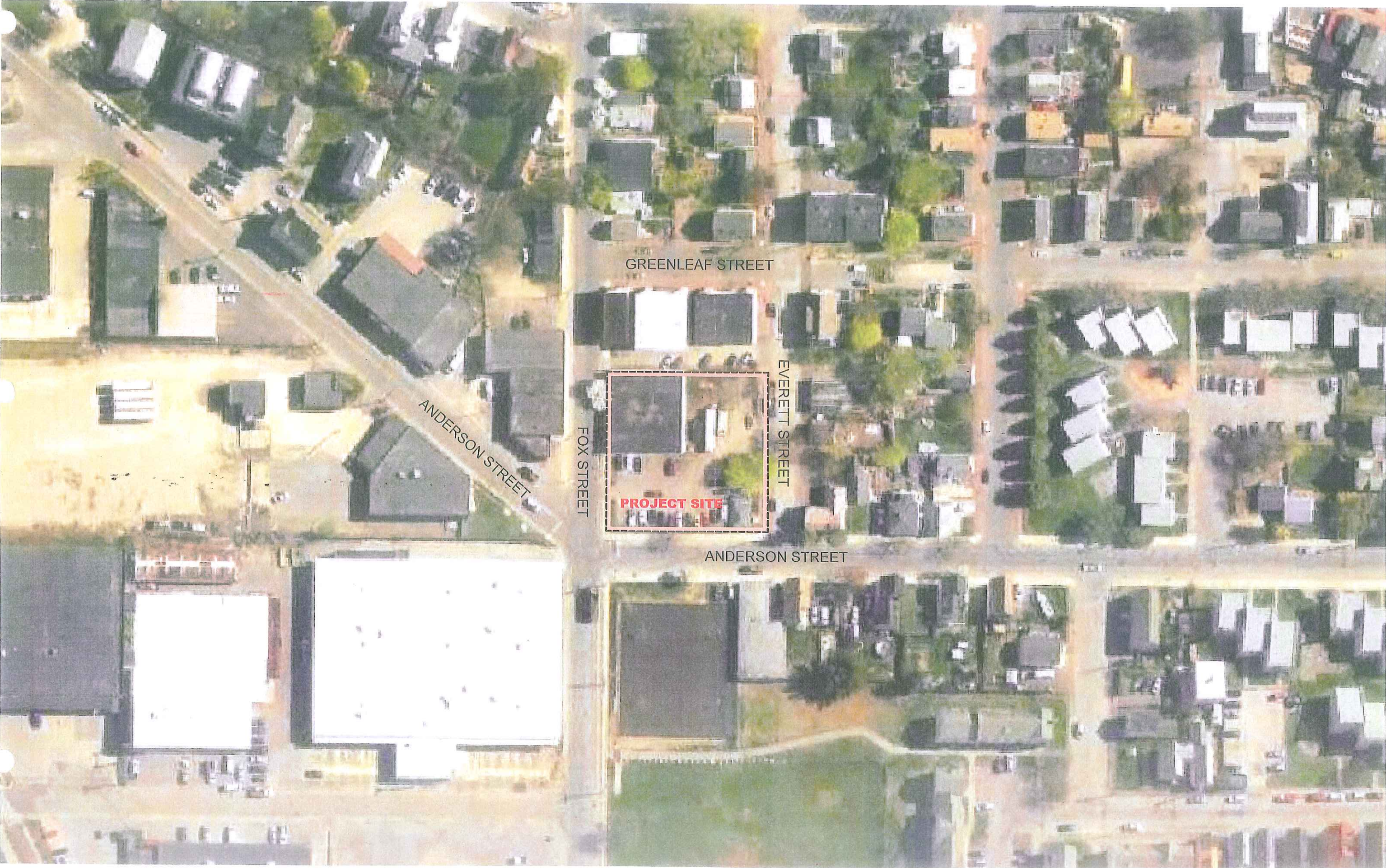
The B1-b zone is designed to create neighborhood business centers. Mixed-use buildings such as 89 Anderson, provide both residence and neighborhood business/services that create excellent 'traditional' neighborhoods less dependent on the automobile.

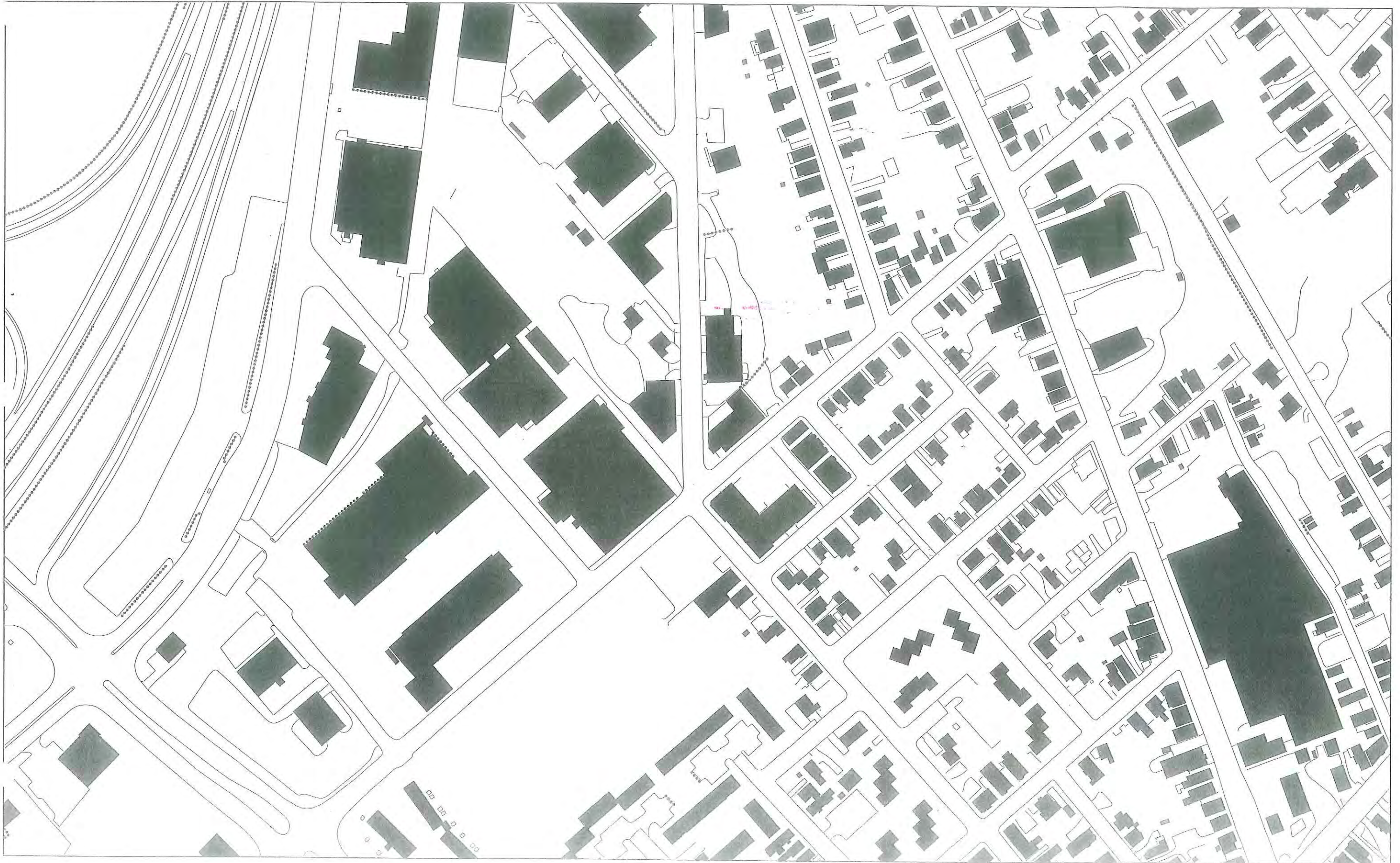
Objective 5.e: Locate and design housing to reduce impacts on environmentally sensitive areas. (page 54)

The 89 Anderson site is currently an auto garage with a large asphalt parking area, with little environmental value. Housing on such properties reduces the need to create housing on more environmentally sensitive areas.

Objective 5.f: Design housing using new technologies and materials that reduce costs and increase energy efficiency. (page 55)

Redfern Properties believes deeply in building the most energy efficient buildings possible. Some of our previous projects have won honors for energy efficiency and sustainability. Like our past and current projects, we plan to build 89 Anderson to an exceedingly high environmental standard.











ANDERSON STREETSCAPE



EVERETT STREETSCAPE



Att. I

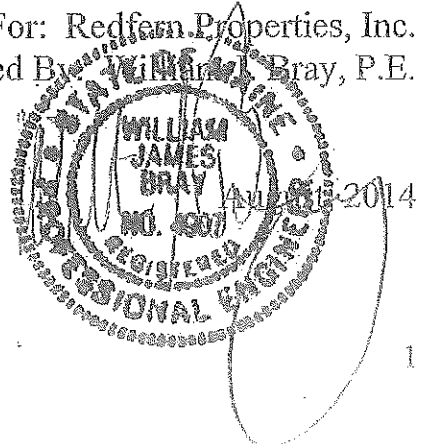
TRAFFIC IMPACT STUDY

FOR

PROPOSED

89 Anderson Street Apartment Complex

Prepared For: Redfern Properties, Inc.
Prepared By: William J. Bray, P.E.



INTRODUCTION

Redfern Properties, LLC is proposing to construct a 53-unit apartment building on a parcel of property located at 89 Anderson Street. A total of 53 parking spaces will be provided under the cover of the proposed apartment building. Access to the covered parking spaces will be provided through a single entrance located on Everett Street.

The purpose of this study is to examine existing traffic conditions in the general vicinity of the proposed project, estimate the total number of site trips generated by the project, and make a determination as to whether the existing transportation system can safely accommodate the added traffic demand generated by the project.

EXISTING CONDITIONS

Existing Traffic: Manual turning movement counts were conducted at three study area intersections per direction received from the City's Traffic Peer Review Consultant. The intersections included the following locations:

1. Anderson Street @ Fox Street
2. Washington Avenue/Fox Street/Walnut Street
3. Anderson Street @ Cumberland Avenue

All vehicular traffic entering each intersection was recorded in 15-minute intervals between the hours of 7:00 to 9:00 AM and between 3:00 to 6:00 PM (Copies of the field data summary sheets are attached). In addition, both pedestrian and bicycle data was gathered at each location both directionally and time of day. From a summary of the data, it was determined that the morning peak hour occurs between 8:00 and 9:00 AM at each study area location; the PM peak hour falls between 4:30 and 5:30 at each of the locations.

Bicycle and pedestrian volume totals recorded during the vehicular peak hour(s) at each study location are summarized in the following tables:

Bicycle Volumes (Street Peak Hour)

<u>Intersection/Approach</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
Washington Ave./Walnut St./Fox St.		
- Washington Avenue EB	1	9
- Washington Avenue WB	2	13
- Walnut Street	0	1
- Fox Street	2	2
Anderson St./Fox St.		
- Anderson Street EB	1	6
- Anderson Street WB	3	9
- Fox Street NB	0	11
- Fox Street SB	0	7
Anderson St./Cumberland Ave.		
- Anderson Street	1	0
- Cumberland Avenue NB	2	4
- Cumberland Avenue SB	5	5

Bicycle travel through the study intersections was somewhat moderate during the afternoon peak hour; volumes recorded in the morning peak hour were very low at each of the three study intersections. The highest volume of bicycle trips in the PM peak hour were recorded traveling along the Washington Avenue corridor (22

two-way trips) and a second predominate travel route was along Fox Street with a total two-way volume of 18 trips.

**Pedestrian Volumes
(Street Peak Hour)**

Intersection/Approach	AM Peak Hour	PM Peak Hour
Washington Ave./Walnut St./Fox St.		
- Crossing Washington Ave. @ Walnut St.	2	0
- Crossing Washington Ave. @ Fox St.	6	8
- Crossing Walnut St.	5	4
- Crossing Fox St.	4	18
Anderson St./Fox St.		
- Crossing East Anderson St.	9	14
- Crossing West Anderson St.	4	2
- Crossing North Fox St.	12	6
- Crossing South Fox St.	7	9
Anderson St./Cumberland Ave.		
- Crossing Anderson St.	21	29
- Crossing Cumberland Ave. @ Anderson St.	14	30

The volume of pedestrian movements recorded at each of the three study intersections was highest at the Anderson Street/Cumberland Avenue intersection where a total of 35 pedestrian movements were recorded in the morning peak hour and 59 pedestrian movements were recorded in the afternoon peak hour.

Traffic data collected during the months of July and August are generally representative of “peak” travel conditions and further adjustment is not required. Figures 1 and 2 are “*line-diagrams*” presenting “*peak*” hour vehicular traffic volumes for the AM and PM peak hours, respectively, for the study area intersections.

Existing Safety Trends: The Maine Department of Transportation’s (MaineDOT) Accident Records Section provided the latest three-year (2011 through 2013) crash data for the following roadway segments:

1. Fox Street between Franklin Arterial and Washington Avenue
2. Washington Avenue/Fox Street/Walnut Street intersection
3. Anderson Street between Fox Street and Cumberland Avenue
4. Everett Street between Anderson Street and Greenleaf Street

Their report is summarized as follows and attached as an appendix to the report:

2011 -2013 Traffic Accident Summary

<u>Location</u>	<u>Total Crashes</u>	<u>Critical Rate Factor</u>
1. Fox Street @ Franklin Arterial	20	0.58
2. Fox Street and N. Boyd Street	3	1.03
3. Fox Street @ Diamond Street	1	0.34
4. Fox Street @ Anderson Street	2	0.73
5. Fox Street @ Greenleaf Street	2	0.98
6. Fox Street @ Winthrop Street	2	1.06
7. Washington Avenue/Fox Street/Walnut Street	9	1.98
8. Fox Street btw. Cove Street and Greenleaf Street	1	0.54
9. Fox Street btw. Winthrop Street and Washington Avenue	1	0.48
10. Anderson Street @ Madison Street	1	4.63
11. Anderson Street @ Oxford Street	1	4.09
12. Anderson Street @ Cumberland Avenue	2	0.71
13. Anderson Street btw. Fox Street and Everett Street	1	4.42
14. Anderson Street btw. E. Lancaster Street and E. Oxford Street	4	16.00
15. Anderson Street btw. E. Oxford Street and Cumberland Avenue	4	11.44

The MaineDOT considers any roadway intersection or segment a high crash location if both of the following criteria are met:

- *3 or more accidents*
- *A Critical Rate Factor greater than 1.00*

As the data presented in the table shows (location highlighted in yellow), the Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT's criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report).

The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) Four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) A total of three collisions involved vehicles approaching Washington Avenue from the Walnut Street approach sliding through the intersection and striking a thru vehicle on Washington Avenue.

Implementation of one or more of the suggested remediation measures should help reduce the frequency of traffic crashes occurring at this "off-set" intersection:

- Utilization of an anti-icing agent on the full length of Walnut Street would potentially reduce vehicle skidding problems on Walnut Street.
- Alternatively, or in conjunction with utilization of the anti-icing agent, the City may want to consider closure of Walnut Street at North Street during periods of severe winter road conditions using a remotely operated flashing "*Street Closed*" beacon placed at the top of the Walnut Street "hill".
- Replace and/or update existing pedestrian crossing equipment (equipment presently inoperative) at both existing Washington Avenue crosswalks to improve safety of pedestrians crossing "busy" Washington Avenue.

In addition to the aforementioned recommendations, preliminary evaluation was given to full traffic signalization of the intersection; however, present intersection traffic volumes and/or other factors do not appear to satisfy the warrants for traffic signals.

SITE TRAFFIC

Site Trip Generation: The eighth edition of the Institute of Transportation Engineers (ITE) "TRIP GENERATION" manual was used to determine the volume of site traffic generated by the proposed 53-unit residential apartment complex project. The ITE publication provides numerous land-use categories and the average volume of trips that are generated by each category. The following trip rates were used to calculate the trip generation of the proposed project:

Land Use #220 - Apartment

AM Peak Hour = 0.51 trips per occupied unit

PM Peak Hour = 0.62 trips per occupied unit.

Accordingly, the proposed 53-unit apartment complex can be expected to generate a total of 27 trips in the morning peak hour and 33 trips during the afternoon peak hour.

Site Trip Distribution: The Institute of Transportation Engineers handbook provides the following directional distribution rates for an apartment unit during the AM and PM peak hours:

AM Peak Hour = 20% enter site and 80% exit site

PM Peak Hour = 65% enter site and 35% exit site

Based upon the noted directional distribution patterns, 22 trips during the morning peak hour and 12 trips in the evening peak hour will exit the site and the remaining trips (5 AM trips and 21 PM trips) during both peak time periods will enter the site.

Site Trip Assignment: Vehicle trips generated by the proposed project were assigned through the three study intersections on the basis of existing travel patterns and the Consultants knowledge of travel patterns in the City of Portland. Figures 3 and 4 graphically depict the assignment for both peak commuter time periods.

FUTURE TRAFFIC

Other Development Traffic: Traffic generated by projects that have been approved by the Local Planning Board and/or the Maine Department of Transportation, yet are not opened, must be included in the estimate of pre-development traffic. At the direction of the City's Development Review Services Manager, trips generated by the following projects were appropriately added to the base travel conditions at the site driveway intersections.

- Washington Avenue Efficiencies
- PHA Bayside Anchor Project
- Munjoy Heights
- Intermodal "Staging" Area

Figures 5 and 6 illustratively present the Other Development traffic assignment for the study intersections.

2014 Pre-Development Traffic: The 2014 Pre-Development traffic forecasts were prepared for the study intersections by combining the 2014 Design Hour traffic volumes shown on Figures 1 and 2 with the Other Development traffic values displayed on Figures 5 and 6. Figures 7 and 8 present the 2014 pre-development traffic forecasts at each of the three study intersections.

2014 Post-Development Traffic: Estimated 2014 Pre-Development traffic forecasts prepared for the study intersections, as depicted on Figures 7 and 8, were combined with the site traffic projections highlighted on Figures 3 and 4 to create estimated 2014 Post-Development traffic forecasts for the study intersections. Figures 9 (AM Peak Hour) and 10 (PM Peak Hour) are line diagrams that present the estimated 2014 Post-Development traffic conditions for the study intersections.

MOBILITY ANALYSIS

Capacity analyses of both 2014 Pre and Post-Development traffic conditions were performed for each of the three study intersections utilizing the Synchro and SimTraffic computer models. Levels of Service rankings are similar to the academic grading system, where an "A" is very good with little delay and "F" represents very poor conditions.

The following table summarizes the relationship between delay and Level of Service for an unsignalized intersection:

Level of Service Criteria for Unsignalized Intersections

<u>Level of Service</u>	<u>Total Control Delay (sec/veh)</u>
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The result of the capacity analysis is presented in the following table:

Level of Service Summary
2014 Pre and Post-Development Conditions

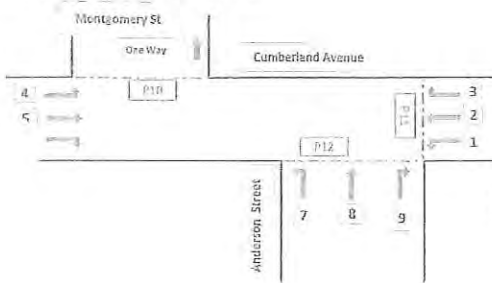
<u>Intersection/Approach</u>	<u>2014 Pre-Development</u>				<u>2014 Post-Development</u>			
	<u>AM Peak Hour</u>		<u>PM Peak Hour</u>		<u>AM Peak Hour</u>		<u>PM Peak Hour</u>	
	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>
1. Washington Ave./ Walnut St./Fox St.								
- Washington Ave. EB	1 sec.	A	2 sec.	A	1 sec.	A	2 sec.	A
- Washington Ave. WB	1 sec.	A	4 sec.	A	4 sec.	A	4 sec.	A
- Walnut St.	13 sec.	B	16 sec.	C	15 sec.	B	17 sec.	C
- Fox St.	11 sec.	B	27 sec.	D	13 sec.	B	27 sec.	D
2. Fox St. @ Anderson St.								
- Anderson St. EB	5 sec.	A	5 sec.	A	5 sec.	A	5 sec.	A
- Anderson St. WB	6 sec.	A	6 sec.	A	6 sec.	A	6 sec.	A
- Fox St. NB	6 sec.	A	7 sec.	A	6 sec.	A	7 sec.	A
- Fox St. SB	6 sec.	A	7 sec.	A	7 sec.	A	7 sec.	A
3. Anderson St. @ Cumberland Ave.								
- Anderson St.	4 sec.	A	3 sec.	A	4 sec.	A	3 sec.	A
- Cumberland Ave. NB	1 sec.	A	1 sec.	A	1 sec.	A	1 sec.	A
- Cumberland Ave. SB	1 sec.	A	1 sec.	A	1 sec.	A	1 sec.	A

As presented in the chart above, the proposed project has no measurable impact on traffic operations at any of the three study intersections. Each intersection was found to operate at acceptable levels of service under both pre-development and post-development conditions.

SUMMARY

1. The proposed 53-unit apartment complex can be expected to generate a total of 27 vehicle trips during the AM peak hour and a slight increase of 33 trips in the afternoon peak hour. Twenty-two (22) trips during the morning peak hour and 12 trips in the evening peak hour will exit the site and the remaining trips (5 AM trips and 21 PM trips) during both peak time periods will enter the site.
2. MaineDOT's Traffic Safety Bureau's latest three-year safety report for the identified portions of Washington Avenue, Fox Street, and Anderson Street shows that all roadway segments and intersections, with the exception of the Washington Avenue/Fox Street/Walnut Street intersection, experience fewer traffic crashes than the threshold criteria for identification of a high crash location. The noted traffic intersection, based upon the most recent three-year data, meets both of MaineDOT's criteria for identification of a high crash location. A total of 9 vehicle crashes were reported at the intersection during the study time period and the Critical Rate Factor, which compares operations at the intersection with a statewide average for similar locations, exceeds 1.00 at 1.98. Detailed vehicle collision diagrams were prepared for each of the reported 9 vehicle crashes to determine if a correctible pattern of vehicle crash is occurring at the intersection. The detailed analysis identified two crash patterns; four "angle" collisions involving vehicles entering Washington Avenue from Fox Street being struck by motorists traveling eastbound on Washington Avenue. The second pattern involved three crashes that resulted from vehicles approaching Washington Avenue on Walnut Street skidding, during inclement weather, into thru vehicles traveling west on Washington Avenue.
3. It would appear that all modes of transportation would benefit from full traffic signalization of the Washington Avenue/Fox Street/Walnut Street intersection; an abbreviated preliminary assessment of existing travel conditions was conducted and it was determined that prevailing traffic conditions at the noted intersection do not appear to meet the minimum travel conditions required for traffic signalization (Copy of abbreviated traffic signal warrant study is attached as an appendix to the report). The City may want to monitor traffic conditions on an annual basis to determine if prevailing conditions change meeting one or more of the warrants for traffic signalization. This report does identify three improvement strategies that, with implementation, should improve overall safety at the intersection, they include the following:
 - Utilization of an anti-icing agent on the full length of Walnut Street would potentially reduce vehicle skidding problems on Walnut Street.
 - Alternatively, or in conjunction with utilization of the anti-icing agent, the City may want to consider closure of Walnut Street at North Street during periods of severe winter road conditions using a remotely operated flashing "*Street Closed*" beacon placed at the top of the Walnut Street "hill".
 - Replace and/or update existing pedestrian crossing equipment (equipment presently inoperative) at both existing Washington Avenue crosswalks to improve safety of pedestrians crossing "busy" Washington Avenue.
4. The operational analysis conducted for the three study intersections clearly shows that traffic generated by the proposed apartment complex has virtually no impact on traffic operations at any of the three study intersections. Each study intersection was found to operate at acceptable levels of service during both the pre-development and post-development conditions.
5. Pedestrian crosswalk markings and stop bars should be installed at the Anderson Street/Fox Street intersection on all four approaches of the intersection.

INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Cumberland Ave/Anderson St/Montgomery St.
Date: 8/13/14
Day of Week: Wednesday
Weather:
Remarks:

Red = Bicycle Movement
Green = Pedestrian Movement

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P10	P11	P12	C2	C4	C5	C6	C7	C9
7:00	7:15	1	16	0	0	29	0	1	0	3	0	0	0	50	0	0	3	0	1	1	0	0	1
Truck Count		0	1	1	0	1	0	0	0	1	0	0	0	4									
7:15	7:30	0	18	0	0	16	1	2	0	6	0	0	0	43	4	1	4	0	0	0	1	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1									
7:30	7:45	1	13	1	0	25	3	2	0	3	0	0	0	48	4	3	3	0	0	0	0	0	0
Truck Count		0	0	1	0	0	0	0	0	0	0	0	0	1									
7:45	8:00	3	18	1	1	39	0	1	1	3	0	0	0	67	3	3	4	0	0	2	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0									
8:00	8:15	4	28	0	1	54	3	1	0	10	0	0	0	101	7	3	5	0	0	0	0	0	0
Truck Count		0	2	0	0	2	0	0	0	0	0	0	0	4									
8:15	8:30	3	23	0	3	55	1	0	0	11	0	0	0	96	3	3	4	1	0	2	0	0	0
Truck Count		0	0	0	0	3	0	1	0	1	0	0	0	5									
8:30	8:45	1	16	0	1	59	1	0	0	10	0	0	0	88	2	0	9	1	1	2	0	1	0
Truck Count		1	3	0	0	1	0	0	0	1	0	0	0	6									
8:45	9:00	2	32	2	0	36	1	3	0	15	0	0	0	93	5	3	3	0	0	0	0	0	0
Truck Count		0	3	0	0	1	0	0	0	0	0	0	0	4									

PEAK HOUR COUNT

TIME:

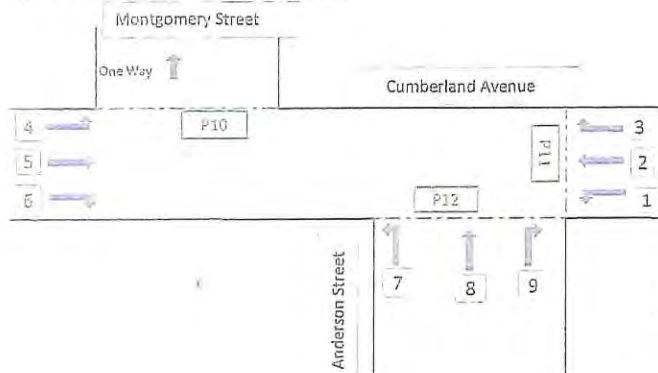
8:00

TO:

9:00

11	107	2	5	213	6	5	0	48	0	0	0	397
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INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Cumberland Ave/Anderson St/Montgomery St
Date: 8/13/14
Day of Week: Wednesday
Weather: _____
Remarks: _____

Red = Bicycle Movement
Green = Pedestrian Movement

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P10	P11	P12	C1	C2	C4	C5	C6
3:00	3:15	5	52	0	2	43	1	1	0	11	0	0	0	115	12	7	11	1	1	0	2	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
3:15	3:30	2	46	0	1	38	2	4	0	9	0	0	0	102	10	13	7	0	0	1	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1								
3:30	3:45	4	42	4	1	32	1	1	1	5	0	0	0	91	8	8	7	1	1	0	0	0
Truck Count		1	0	0	1	2	0	0	0	0	0	0	0	4								
3:45	4:00	5	68	2	2	43	3	3	0	13	0	0	0	139	12	5	12	0	0	0	1	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
4:00	4:15	7	40	2	0	28	4	3	0	4	0	0	0	88	3	3	11	0	0	0	0	1
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
4:15	4:30	5	64	0	1	32	3	3	0	11	0	0	0	119	6	8	7	0	1	0	0	0
Truck Count		0	1	0	0	1	0	0	0	0	0	0	0	2								
4:30	4:45	8	60	2	0	61	2	3	1	11	0	0	0	148	20	3	7	0	1	0	2	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1								
4:45	5:00	3	67	3	0	60	2	5	1	10	0	0	0	151	10	19	14	0	1	0	1	2
Truck Count		0	2	0	0	2	0	0	0	0	0	0	0	4								
5:00	5:15	2	76	1	3	48	1	1	1	14	0	0	0	147	5	6	2	0	1	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
5:15	5:30	7	117	4	2	80	4	6	0	13	0	0	0	233	4	2	6	0	1	0	0	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
5:30	5:45	5	89	1	0	46	3	1	0	7	0	0	0	152	3	2	1	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
5:45	6:00	2	78	2	1	47	4	3	0	12	0	0	0	149	2	0	2	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								

PEAK HOUR COUNT

TIME: 4:30 TO: 5:30

20	323	10	5	252	9	15	3	48	0	0	0	685
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Figure 1 is a map of the study area, showing the intersection of Fox Street and Anderson Street. The map displays a grid of streets with numbered intersections. Red arrows indicate bicycle movement, and green arrows indicate pedestrian movement. The legend specifies: Red = Bicycle Movement, Green = Pedestrian Movement. The map shows Fox Street running horizontally and Anderson Street running vertically. Intersections are numbered 1 through 12. Red arrows show bicycle movement along Fox Street (northbound and southbound) and along Anderson Street (eastbound). Green arrows show pedestrian movement along Fox Street (northbound and southbound) and along Anderson Street (westbound).

Portland
 Intersection: Fox Street/Anderson Street
 Date: 8/12/14
 Day of Week: Tuesday
 Weather: _____
 Remarks: _____

Count Summary Movement

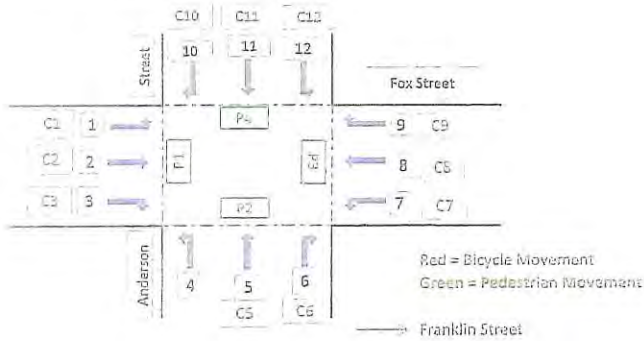
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	G2	G3	G7	G8
7:00	7:15	1	3	8	2	15	3	3	1	0	0	19	6	61	1	1	3	1	0	0	1	0
Truck Count		0	0	1	0	0	0	0	1	0	0	0	0	2								
7:15	7:30	1	1	3	1	12	3	9	3	1	0	25	1	60	1	0	0	2	0	1	0	0
Truck Count		0	0	1	0	0	0	0	0	0	0	0	0	1								
7:30	7:45	6	8	15	1	16	1	7	4	1	0	33	3	95	0	0	0	0	0	0	0	0
Truck Count		0	1	2	0	0	0	0	0	0	0	1	0	4								
7:45	8:00	1	11	17	3	20	7	12	1	0	3	40	1	116	0	0	0	0	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
8:00	8:15	4	9	21	3	18	4	14	2	1	0	39	1	116	4	1	5	3	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
8:15	8:30	2	10	17	6	16	11	14	2	0	0	40	3	121	4	0	0	5	0	0	0	0
Truck Count		0	1	2	0	0	0	0	0	0	0	0	0	3								
8:30	8:45	3	12	35	3	20	8	20	0	1	1	29	2	134	4	5	0	0	1	0	0	0
Truck Count		0	0	2	0	1	0	0	0	0	1	1	0	5								
8:45	9:00	7	21	22	1	21	8	13	6	2	1	32	0	134	0	0	2	1	0	0	1	1
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00

16	53	99	13	77	31	61	10	4	3	141	6	514
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INTERSECTION
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Fox Street/Anderson Street
Date: 8/12/14
Day of Week: Tuesday
Weather:
Remarks:

Count Summary Movement

		Count Summary - Movement																											
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P7	P8	P9	P4	C1	C2	C3	C5	C6	C7	C8	C9	C10	C11	C12
3:00	3:15	1	27	2	3	6	14	4	34	12	2	9	12	126	2	0	0	1	2	3	0	1	1	0	2	0	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
3:15	3:30	0	27	2	11	10	21	8	28	13	1	5	9	135	2	1	2	2	0	0	0	1	1	0	0	0	0	2	4
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
3:30	3:45	0	28	5	6	9	16	10	31	15	2	7	17	146	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0
Truck Count		0	1	0	0	0	1	0	1	0	0	0	0	3															
3:45	4:00	1	36	3	6	8	13	5	29	18	3	4	10	136	3	2	2	0	0	2	0	0	0	1	1	0	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1															
4:00	4:15	3	26	0	6	11	16	9	34	15	1	4	10	135	1	1	0	3	0	0	0	0	1	2	0	0	0	0	0
Truck Count		0	0	0	1	0	1	0	0	0	0	0	0	2															
4:15	4:30	1	26	4	5	14	9	10	41	16	2	5	12	145	0	0	2	2	0	0	0	0	0	1	0	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
4:30	4:45	2	49	2	6	2	10	9	30	23	3	3	14	153	2	0	1	2	0	0	0	0	5	3	2	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
4:45	5:00	3	40	5	4	9	21	8	45	20	3	9	11	178	1	0	3	5	0	0	1	0	2	0	1	0	0	3	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:00	5:15	2	34	2	5	6	17	7	38	18	4	2	17	152	2	1	0	3	0	2	1	0	1	0	0	0	1	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:15	5:30	3	35	1	9	14	22	9	49	18	0	5	17	182	1	1	6	4	0	1	2	0	1	5	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:30	5:45	1	27	3	5	7	17	8	40	15	5	2	12	142	3	5	1	2	0	1	0	1	1	0	2	1	0	1	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
5:45	6:00	1	30	1	3	9	13	4	46	12	0	0	17	136	3	1	0	6	1	1	0	1	2	1	0	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															

PEAK HOUR COUNT

TIME: 4:30 TO: 5:30

10	158	10	24	31	70	33	162	79	10	19	59	665
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INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Washington Ave./Fox St./Walnut St.
Date: 8/14/14
Day of Week: Thursday
Weather: _____
Remarks: Construction

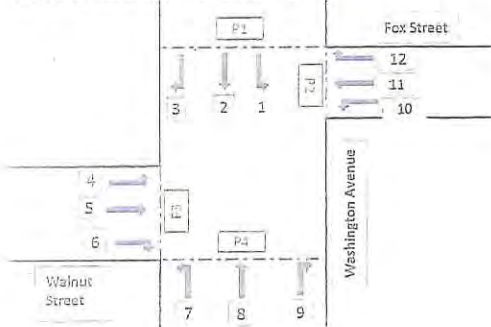
Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C8	C11	C12
7:00	7:15	7	24	1	2	6	3	6	74	1	5	7	5	141	1	1	2	0	0	0	0	
Truck Count		0	1	0	0	0	0	1	6	0	0	0	0	8								
7:15	7:30	3	26	1	1	10	5	6	78	3	10	10	5	158	0	0	1	0	0	0	0	
Truck Count		1	2	0	0	0	0	0	4	0	0	0	0	7								
7:30	7:45	9	36	2	4	14	4	2	85	12	1	5	9	183	0	1	0	1	0	0	0	
Truck Count		0	5	0	1	0	0	0	3	0	0	0	0	9								
7:45	8:00	10	47	2	2	11	6	3	142	8	7	2	11	251	0	4	3	2	0	0	0	
Truck Count		1	1	0	0	0	0	0	4	0	0	0	0	6								
8:00	8:15	10	39	2	3	11	9	2	159	19	10	4	9	277	4	1	1	1	1	0	0	
Truck Count		0	3	0	0	0	0	0	1	0	0	0	0	4								
8:15	8:30	19	43	2	5	16	10	4	126	8	8	1	11	253	1	2	3	1	0	0	0	
Truck Count		0	2	0	1	0	0	1	7	0	0	0	2	13								
8:30	8:45	15	40	2	1	13	2	2	114	9	8	2	15	223	1	0	1	0	0	1	0	
Truck Count		0	2	0	0	0	0	0	1	1	1	0	0	5								
8:45	9:00	16	60	6	2	21	6	2	117	7	9	2	15	263	0	1	0	0	0	1	1	
Truck Count		0	2	1	0	0	0	0	5	2	0	0	0	10								

PEAK HOUR COUNT

PEAK HOUR COUNT										TIME:	8:00	TO:	9:00
60	191	13	12	61	27	11	530	46	36	9	52	1,048	

INTERSECTION
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Washington Ave./Fox St./Walnut St.
Date: 8/14/14
Day of Week: Thursday
Weather: _____
Remarks: _____

Count Summary Movement

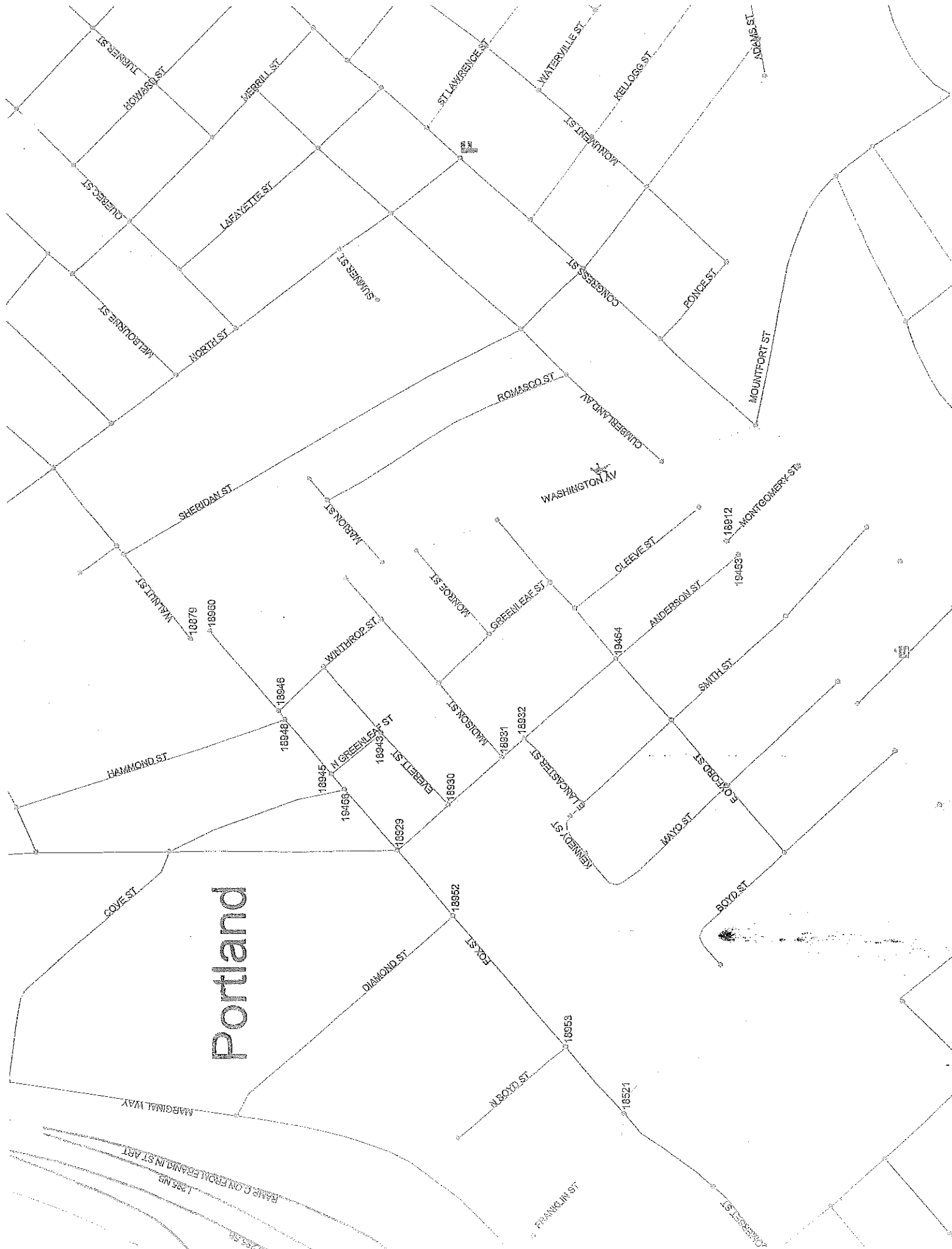
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C1	C2	C4	C6	C8	C9	C11	C12
3:00	3:15	20	83	4	0	8	3	10	63	19	5	11	10	236	4	1	3	0	0	2	1	0	1	0	1	0
Truck Count		0	0	0	0	0	0	0	2	0	1	0	0	3												
3:15	3:30	14	57	1	4	9	5	4	58	6	11	15	13	197	0	3	2	1	0	0	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
3:30	3:45	21	110	6	0	13	11	2	66	13	9	22	15	288	3	4	1	0	0	1	1	0	1	0	0	0
Truck Count		0	0	0	1	0	0	0	1	0	0	0	0	2												
3:45	4:00	19	68	3	3	10	0	3	67	8	9	6	8	204	1	4	2	1	0	0	0	0	2	0	0	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1												
4:00	4:15	36	108	6	0	6	3	5	90	8	15	18	17	312	0	2	0	1	0	1	0	0	0	0	0	0
Truck Count		0	3	0	0	0	0	0	0	0	0	0	0	3												
4:15	4:30	16	104	8	2	15	3	7	76	12	9	17	9	278	1	4	0	0	0	1	0	0	1	0	0	0
Truck Count		0	0	0	0	1	0	0	2	0	0	1	0	4												
4:30	4:45	23	136	7	2	14	11	3	73	19	11	9	18	324	0	3	1	0	0	4	0	0	2	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
4:45	5:00	16	139	4	2	14	9	7	81	6	5	17	23	323	2	3	1	0	0	3	0	1	4	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
5:00	5:15	22	148	8	1	7	3	7	83	6	12	19	8	324	2	3	1	0	1	1	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
5:15	5:30	15	154	7	2	11	1	9	76	12	15	14	11	327	4	9	1	0	0	4	0	0	1	1	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
5:30	5:45	30	130	8	5	13	4	5	93	8	9	21	15	341	1	4	0	1	0	2	0	0	1	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
5:45	6:00	9	84	3	0	9	3	8	75	9	6	14	7	227	3	2	0	1	1	2	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												

PEAK HOUR COUNT

TIME: 4:30 TO: 5:30

76	579	26	7	46	24	26	313	43	43	59	58	1,300
----	-----	----	---	----	----	----	-----	----	----	----	----	-------

Portland



Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I ☐ Section Detail ☒ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

#1

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560293	Start Node: 18521 End Node: 18960	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☐ Exclude Last Node
Route: 0026X	Start Node: 18960 End Node: 18879	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Node	Route - MP	Node Description	U/R	Nodes							Percent Annual M Injury	Crash Rate	Critical Rate	CRF		
				Total Crashes	K	A	B	C	PD	Ent-Veh						
18521	0560293 - 0	Int of FOX ST FRANKLIN ST	9	20	0	0	2	8	10	50.0	11.697	0.57	0.99	0.00		
											Statewide Crash Rate:	0.65				
18953	0560293 - 0.06	0509373 POR,N.BOYD,FOX ST.	2	3	0	0	0	0	3	0.0	2.209	0.45	0.44	1.03		
											Statewide Crash Rate:	0.14				
18952	0560293 - 0.16	0509372 POR,FOX,DIAMOND ST.	2	1	0	0	0	0	1	0.0	2.178	0.15	0.44	0.00		
											Statewide Crash Rate:	0.14				
18929	0560293 - 0.21	0509349 POR,ANDERSON,FOX ST.	2	2	0	0	0	0	2	0.0	1.996	0.33	0.45	0.00		
											Statewide Crash Rate:	0.14				
19466	0560293 - 0.25	0509888 POR,FOX STREET,COVE STREET	2	0	0	0	0	0	0	0.0	1.531	0.00	0.48	0.00		
											Statewide Crash Rate:	0.14				
18945	0560293 - 0.26	0509365 POR,FOX,N.GREENLEAF ST.	2	2	0	0	0	1	0	100.0	1.381	0.48	0.49	0.00		
											Statewide Crash Rate:	0.14				
A18948	0560293 - 0.30	0509368 POR,FOX,HAMMOND ST.	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00		
											Statewide Crash Rate:	0.14				
P18946	0560293 - 0.31	0509366 POR,FOX,WINTHROP ST.	2	2	0	0	0	0	2	0.0	1.248	0.53	0.50	1.06		
											Statewide Crash Rate:	0.14				
A18960	0560293 - 0.36	Int of FOX ST WASHINGTON AV	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00		
											Statewide Crash Rate:	0.14				
P18879	0026X - 0.28	Int of WALNUT ST, WASHINGTON AV	2	9	0	0	0	2	7	22.2	4.034	0.74	0.38	1.98		
											Statewide Crash Rate:	0.14				
Study Years: 3.00				NODE TOTALS:		39	0	0	2	11	25	33.3	26.274	0.49	0.54	0.92

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury Crashes				Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
18521	18953	194034	0 - 0.06	0560293 - 0	0.06	2	0	0	0	0	0	0	0.0	0.00138	0.00	971.45	0.00
Int of FOX ST, FRANKLIN ST				RD INV 05 60293										Statewide Crash Rate: 346.84			
18952	18953	194637	0 - 0.10	0560293 - 0.06	0.10	2	0	0	0	0	0	0	0.0	0.00201	0.00	881.52	0.00
0509372 POR, FOX, DIAMOND ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18929	18952	194603	0 - 0.05	0560293 - 0.16	0.05	2	0	0	0	0	0	0	0.0	0.00097	0.00	1064.25	0.00
0509349 POR, ANDERSON, FOX ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18929	19466	194604	0 - 0.04	0560293 - 0.21	0.04	2	0	0	0	0	0	0	0.0	0.00061	0.00	1195.29	0.00
0509349 POR, ANDERSON, FOX ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18945	19466	194628	0 - 0.01	0560293 - 0.25	0.01	2	0	0	0	0	0	0	0.0	0.00015	0.00	1497.37	0.00
0509366 POR, FOX, N. GREENLEAF ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18945	18948	194627	0 - 0.04	0560293 - 0.26	0.04	2	1	0	0	0	0	1	0.0	0.00049	681.12	1258.33	0.00
0509366 POR, FOX, N. GREENLEAF ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18946	18948	194629	0 - 0.01	0560293 - 0.30	0.01	2	0	0	0	0	0	0	0.0	0.00012	0.00	1483.19	0.00
0509366 POR, FOX, WINTHROP ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18946	18960	194630	0 - 0.05	0560293 - 0.31	0.05	2	1	0	0	0	0	1	0.0	0.00058	575.63	1210.04	0.00
0509366 POR, FOX, WINTHROP ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18879	18960	3123723	0 - 0.01	0026X - 0.27	0.01	2	0	0	0	0	0	0	0.0	0.00036	0.00	793.55	0.00
Int of WALNUT ST, WASHINGTON AV				ST RTE 26										Statewide Crash Rate: 186.16			
Study Years: 3.00				Section Totals:		0.37	2	0	0	0	0	2	0.0	0.00666	100.05	648.35	0.15
				Grand Totals:		0.37	41	0	0	2	11	27	31.7	0.00666	2050.99	796.08	2.58

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I ☐ Section Detail ☒ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

#3

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560847	Start Node: 18929 End Node: 19463	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0561238	Start Node: 19463 End Node: 18912	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Nodes															
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury Crashes				Percent Annual M	Crash Rate	Critical Rate	CRF		
						A	B	C	PD	Injury	Ent-Veh				
18930	0560847 - 0.53	0509350 POR,ANDERSON,EVERETT ST.	2	0	0	0	0	0	0	0.0	0.159	0.00	0.49	0.00	
											Statewide Crash Rate:	0.14			
18931	0560847 - 0.56	0509351 POR,ANDERSON,MADISON ST.	2	1	0	0	0	1	0	100.0	0.153	2.18	0.47	4.63	
											Statewide Crash Rate:	0.14			
18932	0560847 - 0.59	0509352 POR,E.LANCASTER,ANDERSON ST.	2	0	0	0	0	0	0	0.0	0.133	0.00	0.41	0.00	
											Statewide Crash Rate:	0.14			
19464	0560847 - 0.65	0509886 POR,ANDERSON ST,E.OXFORD STR.	2	1	0	0	0	0	1	0.0	0.164	2.03	0.50	4.09	
											Statewide Crash Rate:	0.14			
19463	0560847 - 0.74	Int of ANDERSON ST CUMBERLAND AV	2	2	0	0	0	0	2	0.0	2.068	0.32	0.45	0.00	
											Statewide Crash Rate:	0.14			
Study Years: 3.00		NODE TOTALS:		4	0	0	0	1	3	25.0	2.677	0.50	0.42	1.19	

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury Crashes				Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
								A	B	C	PD						
18929	18930	194602	0 - 0.04	0560847 - 0.49	0.04	2	1	0	0	0	0	1	0.0	0.00006	5272.76	1194.07	4.42
0509349 POR,ANDERSON,FOX ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18930	18931	194605	0 - 0.03	0560847 - 0.53	0.03	2	0	0	0	0	0	0	0.0	0.00004	0.00	682.58	0.00
0509350 POR,ANDERSON,EVERETT ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18931	18932	194607	0 - 0.03	0560847 - 0.56	0.03	2	0	0	0	0	0	0	0.0	0.00004	0.00	441.48	0.00
0509351 POR,ANDERSON,MADISON ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18932	19464	194609	0 - 0.06	0560847 - 0.59	0.06	2	4	0	0	1	0	3	25.0	0.00007	19896.34	1243.30	16.00
0509352 POR,E.LANCASTER,ANDERSON ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
19463	19464	195146	0 - 0.09	0560847 - 0.65	0.09	2	4	0	0	0	0	2	0.0	0.00008	15854.90	1385.36	11.44
Int of ANDERSON ST CUMBERLAND AV				RD INV 05 60847											Statewide Crash Rate: 346.84		
18912	19463	194577	0 - 0.01	0561238 - 0.98	0.01	2	0	0	0	0	0	0	0.0	0.00020	0.00	785.75	0.00
Int of CUMBERLAND AV, MONTGOMERY ST				RD INV 05 61238											Statewide Crash Rate: 186.16		
Study Years: 3.00				Section Totals:		0.26	9	0	0	1	0	6	11.1	0.00049	6102.75	1070.96	5.70
				Grand Totals:		0.26	13	0	0	1	1	9	15.4	0.00049	8815.08	1357.90	8.49

COLLISION DIAGRAM

SHEET 2 OF 2

LOCATION WASHINGTON AVE. / WALNUT ST. / FOX ST.

TWN Portland

NODE NO(S) Page 79

YEARS REVIEWED 2011-2014

DATE PREPARED 8-23-2014

[illegible]

WALNUT STREET

WASHINGTON AVENUE

11
530
46

27
61
12

13
191
60

FOX STREET

ANDERSON STREET

36
9
52
6
14
3

SITE

4
10
61

16
53
99

13
77
31

ANDERSON STREET

5
48

6
213

CUMBERLAND AVENUE

11
109

2014 DESIGN HOUR TRAFFIC
AM PEAK HOUR
FIGURE 1

89 ANDERSON STREET APARTMENTS
PORTLAND, MAINE
DATE: AUGUST 10, 2014
DRAWN: 1

89 ANDERSON STREET APARTMENTS TRAFFIC SOLUTIONS ANDERSON STREET ANDERSON STREET

TRAFFIC SOLUTIONS
235 BANGS STREET, PORTLAND, MAINE 04102-1723

WALNUT STREET

24
46
7

WASHINGTON AVENUE

26
313
43

26
579
76

FOX STREET

ANDERSON STREET

43
59
58
10
158
10

SITE

ANDERSON STREET

9
252

24
31
70

10
19
59

18
48

33
162
79

20
333

CUMBERLAND AVENUE

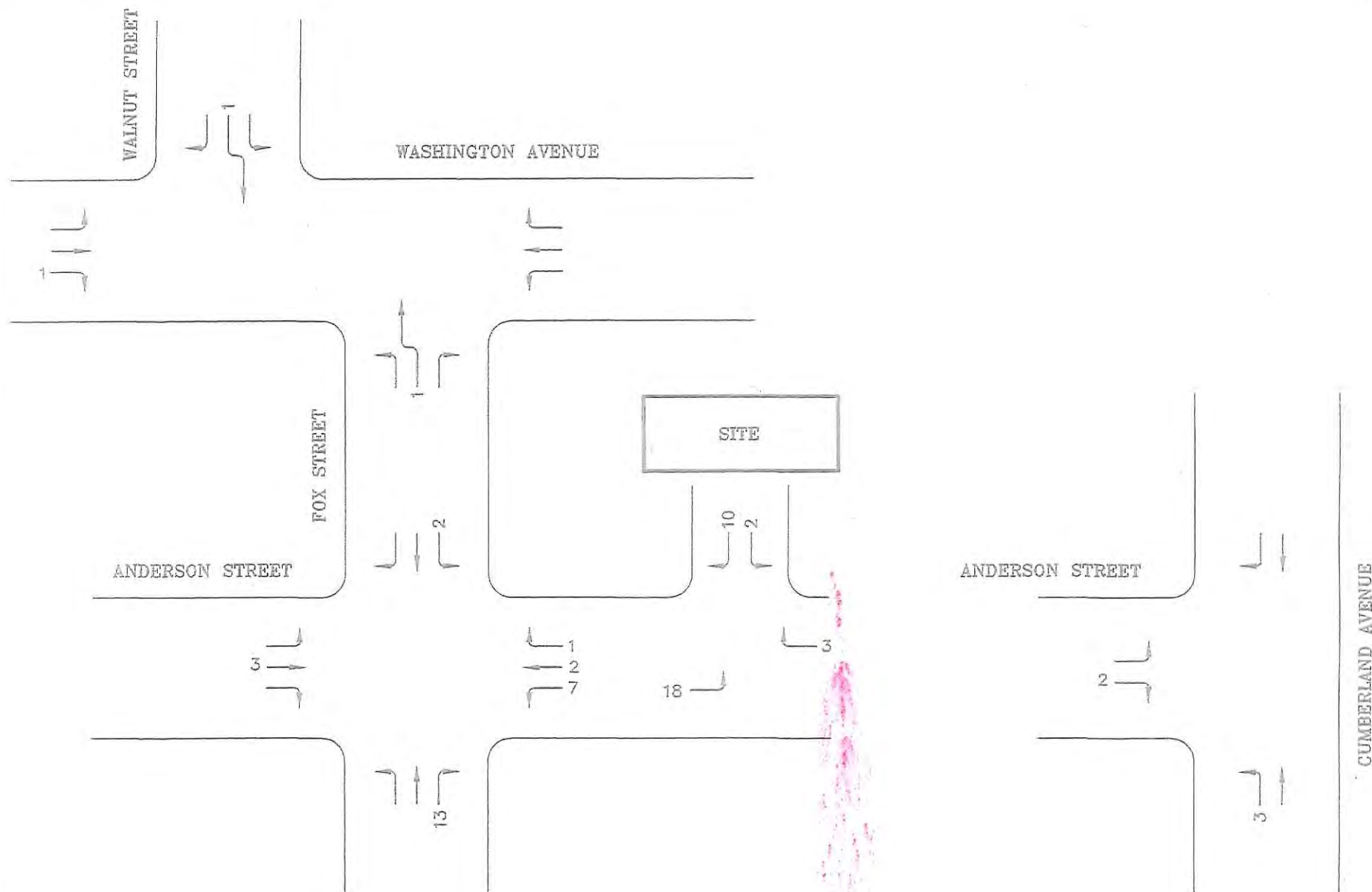
2014 DESIGN HOUR TRAFFIC
PM PEAK HOUR
FIGURE 2

Project Name and Location
69 ANDERSON STREET APARTMENTS
PORTLAND, MAINE
DATE: AUGUST 10, 2014

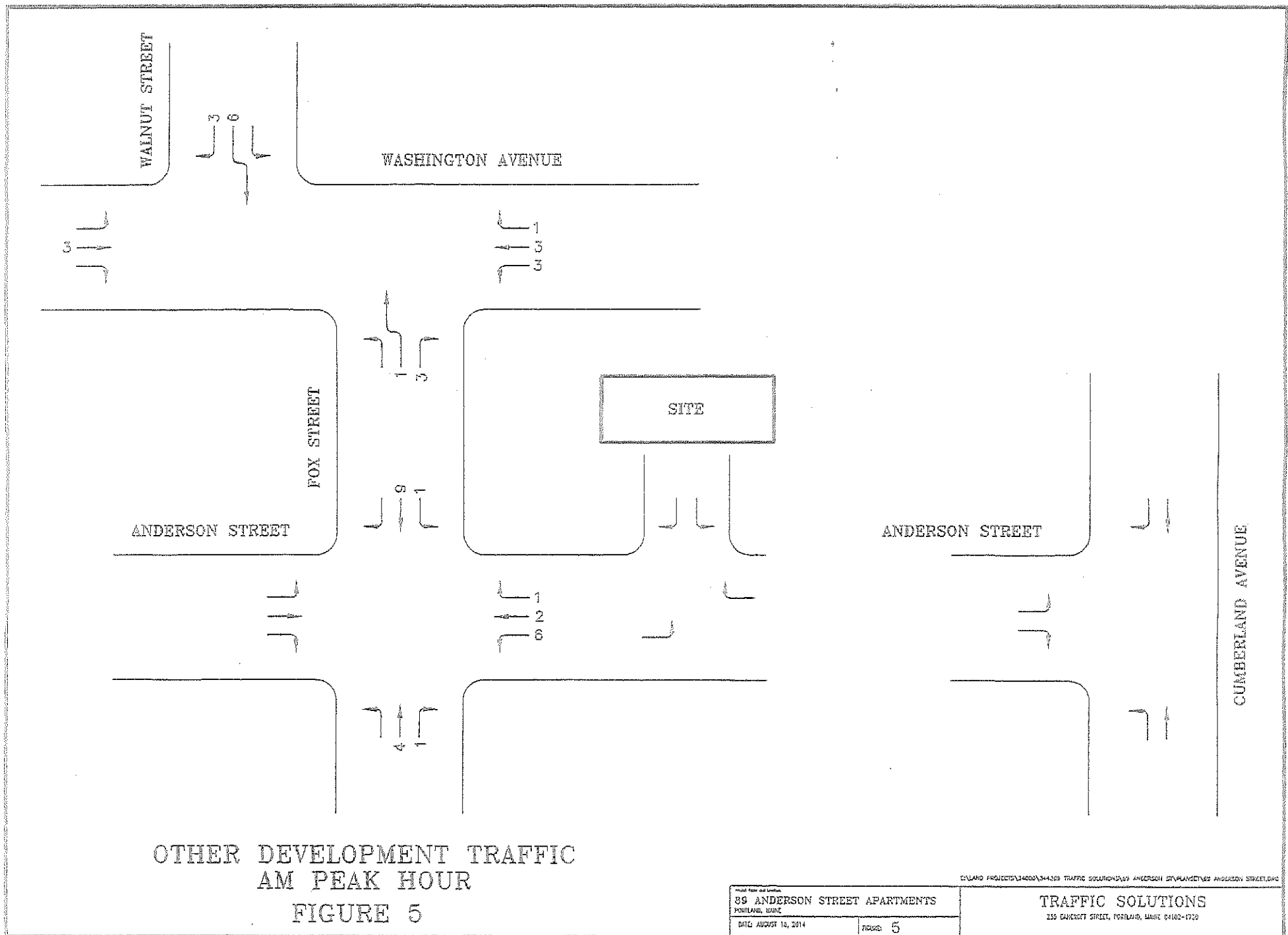
FIGURE 2

DRIVING PROJECTS\4100\34439 TRAFFIC SOLUTIONS\69 ANDERSON STREET\69 ANDERSON STREET.DWG

TRAFFIC SOLUTIONS
225 BANCROFT STREET, PORTLAND, MAINE 04102-1229



SITE TRAFFIC ASSIGNMENTS
PM PEAK HOUR
FIGURE 4



OTHER DEVELOPMENT TRAFFIC
AM PEAK HOUR
FIGURE 5

Project Name and Location:
39 ANDERSON STREET APARTMENTS
PORTLAND, MAINE
DATE: AUGUST 14, 2014

FIGURE 5

CLAYTON PROJECTS/34003/34433 TRAFFIC SOLUTIONS/39 ANDERSON ST/PM/AM/PEAK HOUR/ANDERSON STREET/2014

TRAFFIC SOLUTIONS
230 CANNON STREET, PORTLAND, MAINE 04102-1730

WALNUT STREET

WASHINGTON AVENUE

FOX STREET

ANDERSON STREET

ANDERSON STREET

CUMBERLAND AVENUE

SITE

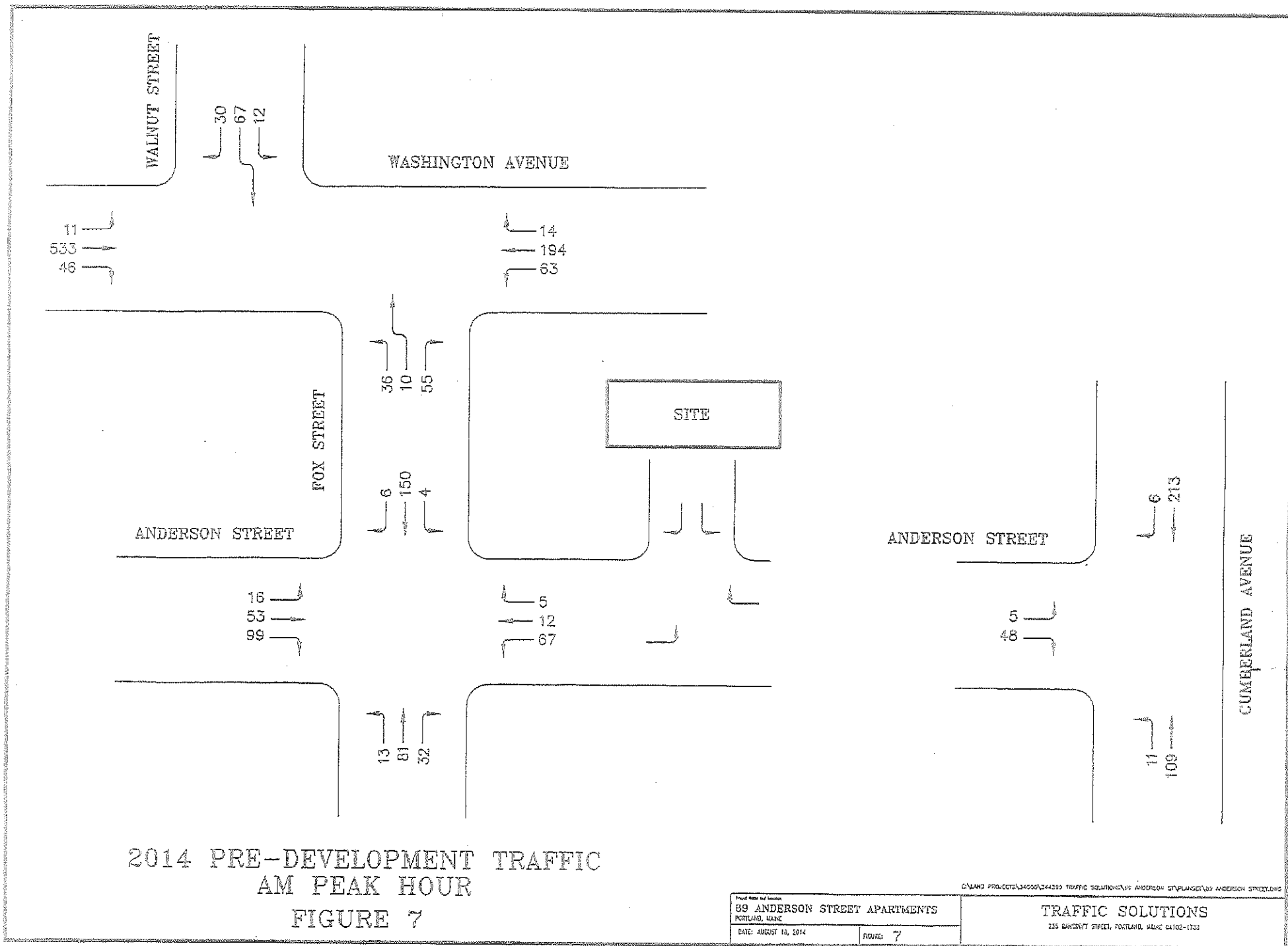
OTHER DEVELOPMENT TRAFFIC
PM PEAK HOUR
FIGURE 6

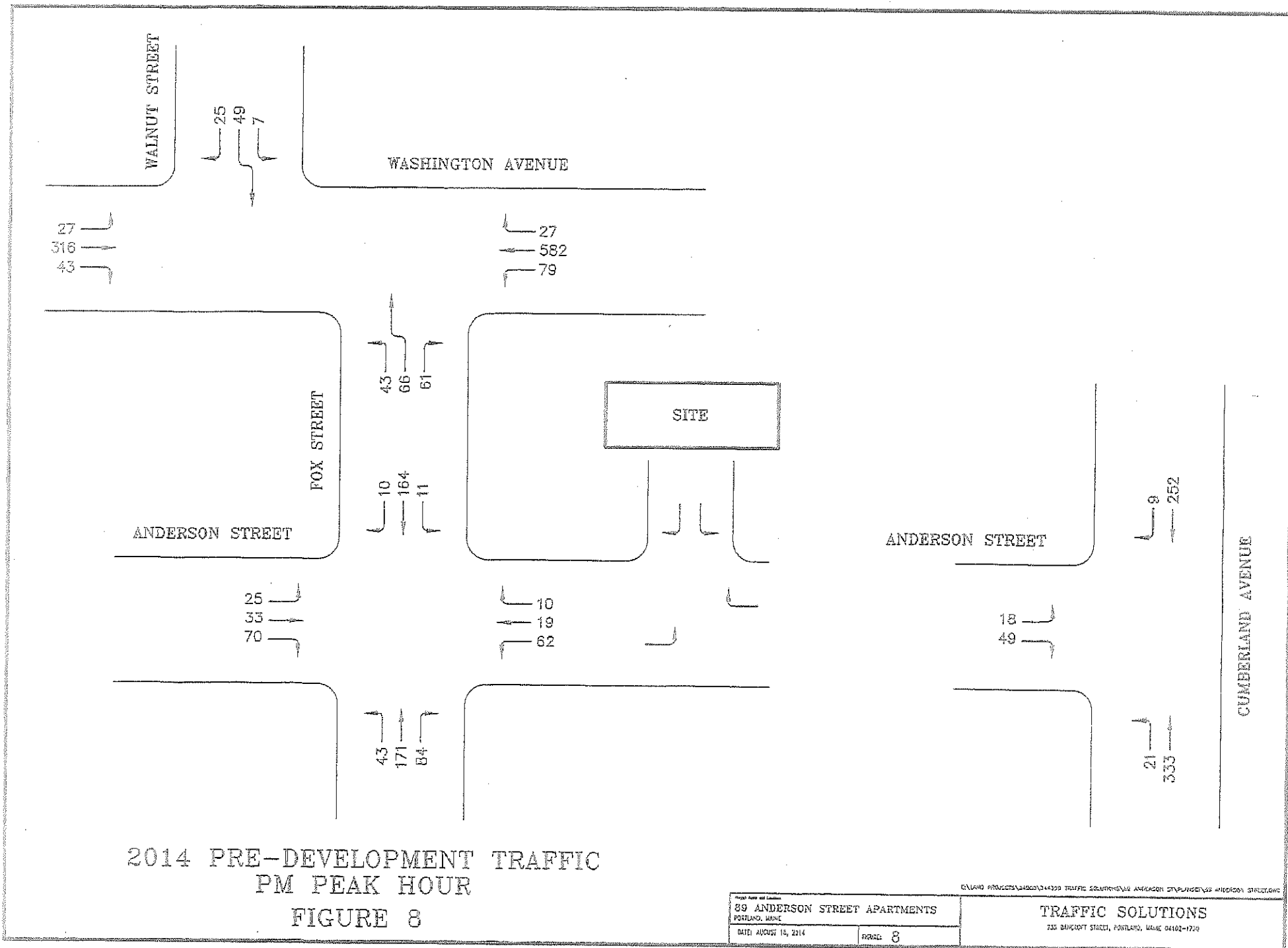
Project Name and Location
89 ANDERSON STREET APARTMENTS
PORTLAND, MAINE
DATE: AUGUST 16, 2014

FIGURE 6

BLAND PROJECTS/3400/34129 TRAFFIC SOLUTIONS/89 ANDERSON STREET/89 ANDERSON STREET/89

TRAFFIC SOLUTIONS
230 BANGS STREET, PORTLAND, MAINE 04101-1739





WALNUT STREET

30
67
12

WASHINGTON AVENUE

11
533
47

14
194
63

FOX STREET

ANDERSON STREET

36
11
55
6
150
5

SITE

18
4

ANDERSON STREET

6
213

16
54
99

6
14
82

4

1

5
52

13
81
34

12
109

CUMBERLAND AVENUE

2014 POST-DEVELOPMENT TRAFFIC
AM PEAK HOUR
FIGURE 9

Project Name and Location
59 ANDERSON STREET APARTMENTS
PORTLAND, MAINE
DATE: AUGUST 18, 2014

FIGURE 9

ES&ND PROJECTS\14-000\14-022 TRAFFIC SOLUTIONS\59 ANDERSON ST\PLANSET\59 ANDERSON STREET.DWG

TRAFFIC SOLUTIONS
235 SANDHOLT STREET, PORTLAND, MAINE 04102-1720

WALNUT STREET

WASHINGTON AVENUE

FOX STREET

ANDERSON STREET

ANDERSON STREET

CUMBERLAND AVENUE

SITE

2014 POST-DEVELOPMENT TRAFFIC
PM PEAK HOUR
FIGURE 10

Project Name and Location
00 ANDERSON STREET APARTMENTS
PORTLAND, MAINE
DATE: AUGUST 10, 2014

FIGURE 10

EXPLANATION: PROJECT LOCATION AND TRAFFIC SOLUTIONS FOR ANDERSON STREET APARTMENTS

TRAFFIC SOLUTIONS
235 BANCROFT STREET, PORTLAND, MAINE 04101-1720

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	4:25	4:25	4:25	4:25	4:25	4:25
End Time	5:30	5:30	5:30	5:30	5:30	5:30
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2238	2298	2292	2198	2271	2261
Vehs Exited	2235	2292	2270	2189	2267	2251
Starting Vehs	25	20	18	18	23	18
Ending Vehs	28	26	40	27	27	27
Travel Distance (mi)	593	612	608	573	609	599
Travel Time (hr)	26.2	26.7	27.5	24.9	27.0	26.5
Total Delay (hr)	5.1	4.8	5.8	4.4	5.3	5.1
Total Stops	1099	1188	1241	1098	1182	1162
Fuel Used (gal)	21.7	22.4	22.6	20.9	22.3	22.0

Interval #0 Information Seeding

Start Time 4:25
End Time 4:30
Total Time (min) 5
Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 4:30
End Time 5:30
Total Time (min) 60
Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	2238	2298	2292	2198	2271	2261
Vehs Exited	2235	2292	2270	2189	2267	2251
Starting Vehs	25	20	18	18	23	18
Ending Vehs	28	26	40	27	27	27
Travel Distance (mi)	593	612	608	573	609	599
Travel Time (hr)	26.2	26.7	27.5	24.9	27.0	26.5
Total Delay (hr)	5.1	4.8	5.8	4.4	5.3	5.1
Total Stops	1099	1188	1241	1098	1182	1162
Fuel Used (gal)	21.7	22.4	22.6	20.9	22.3	22.0

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.3	0.1
Total Del/Veh (s)	1.9	0.6	17.3	2.1

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.5	0.0	0.3
Total Del/Veh (s)	0.5	3.6	26.0	6.2

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.3	0.0	0.2
Total Del/Veh (s)	5.0	5.7	6.8	6.8	6.3

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.2	0.2
Total Del/Veh (s)	3.1	0.5	0.3	1.0

Total Network Performance

Denied Del/Veh (s)			0.4	
Total Del/Veh (s)			7.7	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	122	38	113
Average Queue (ft)	23	8	43
95th Queue (ft)	75	30	85
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		1	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	33	146	179
Average Queue (ft)	4	41	81
95th Queue (ft)	22	112	152
Link Distance (ft)	12	1288	760
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	62	58	118	75
Average Queue (ft)	37	35	60	42
95th Queue (ft)	58	53	92	67
Link Distance (ft)	764	1258	282	760
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	56	45
Average Queue (ft)	31	6
95th Queue (ft)	52	29
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	4:25	4:25	4:25	4:25	4:25	4:25
End Time	5:30	5:30	5:30	5:30	5:30	5:30
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2201	2294	2276	2197	2254	2246
Vehs Exited	2200	2291	2257	2193	2246	2238
Starting Vehs	28	21	18	26	18	21
Ending Vehs	29	24	37	30	26	27
Travel Distance (mi)	581	608	599	569	600	592
Travel Time (hr)	25.3	26.7	27.4	25.0	26.3	26.1
Total Delay (hr)	4.6	5.0	6.1	4.6	4.8	5.0
Total Stops	1096	1118	1161	1055	1133	1113
Fuel Used (gal)	21.2	22.2	22.2	20.7	21.8	21.6

Interval #0 Information Seeding

Start Time 4:25
End Time 4:30
Total Time (min) 5
Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 4:30
End Time 5:30
Total Time (min) 60
Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	2201	2294	2276	2197	2254	2246
Vehs Exited	2200	2291	2257	2193	2246	2238
Starting Vehs	28	21	18	26	18	21
Ending Vehs	29	24	37	30	26	27
Travel Distance (mi)	581	608	599	569	600	592
Travel Time (hr)	25.3	26.7	27.4	25.0	26.3	26.1
Total Delay (hr)	4.6	5.0	6.1	4.6	4.8	5.0
Total Stops	1096	1118	1161	1055	1133	1113
Fuel Used (gal)	21.2	22.2	22.2	20.7	21.8	21.6

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.2	0.1
Total Del/Veh (s)	1.7	0.6	16.0	2.0

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.5	0.0	0.3
Total Del/Veh (s)	0.5	3.8	27.0	6.5

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.3	0.0	0.2
Total Del/Veh (s)	4.6	5.6	6.8	6.7	6.2

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.2	0.2
Total Del/Veh (s)	3.3	0.5	0.3	0.9

Total Network Performance

Approach	EB	NB	SB	All
Denied Del/Veh (s)			0.3	
Total Del/Veh (s)			7.6	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	95	47	113
Average Queue (ft)	19	7	42
95th Queue (ft)	63	31	84
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		1	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	31	199	208
Average Queue (ft)	5	45	83
95th Queue (ft)	23	135	161
Link Distance (ft)	12	1288	737
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	62	55	107	72
Average Queue (ft)	22	33	57	35
95th Queue (ft)	45	50	89	57
Link Distance (ft)	662	1258	281	737
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	52	44
Average Queue (ft)	30	5
95th Queue (ft)	48	25
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 1

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:55	6:55	6:55	6:55	6:55	6:55
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1738	1660	1705	1739	1659	1701
Vehs Exited	1737	1662	1708	1735	1648	1697
Starting Vehs	16	16	20	23	14	14
Ending Vehs	17	14	17	27	25	17
Travel Distance (mi)	483	459	475	474	456	469
Travel Time (hr)	20.8	19.2	20.5	20.2	19.4	20.0
Total Delay (hr)	3.3	2.8	3.4	3.1	3.0	3.1
Total Stops	982	883	963	926	870	926
Fuel Used (gal)	17.7	16.6	17.4	17.3	16.4	17.1

Interval #0 Information Seeding

Start Time 6:55
End Time 7:00
Total Time (min) 5
Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 7:00
End Time 8:00
Total Time (min) 60
Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	1738	1660	1705	1739	1659	1701
Vehs Exited	1737	1662	1708	1735	1648	1697
Starting Vehs	16	16	20	23	14	14
Ending Vehs	17	14	17	27	25	17
Travel Distance (mi)	483	459	475	474	456	469
Travel Time (hr)	20.8	19.2	20.5	20.2	19.4	20.0
Total Delay (hr)	3.3	2.8	3.4	3.1	3.0	3.1
Total Stops	982	883	963	926	870	926
Fuel Used (gal)	17.7	16.6	17.4	17.3	16.4	17.1

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.4	0.0	0.1	0.3
Total Del/Veh (s)	1.3	0.4	15.3	2.7

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.1
Total Del/Veh (s)	0.5	3.5	13.1	2.6

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.2	0.2	0.0	0.1
Total Del/Veh (s)	5.2	5.9	5.7	6.5	5.8

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.1	0.2	0.1
Total Del/Veh (s)	3.7	0.4	0.2	1.0

Total Network Performance

Approach	EB	NB	SB	All
Denied Del/Veh (s)				0.3
Total Del/Veh (s)				6.3

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	62	24	112
Average Queue (ft)	4	1	50
95th Queue (ft)	27	12	95
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	31	112	92
Average Queue (ft)	8	37	41
95th Queue (ft)	30	89	71
Link Distance (ft)	12	1288	735
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	2		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	68	69	71	72
Average Queue (ft)	27	36	37	36
95th Queue (ft)	55	58	59	58
Link Distance (ft)	600	1258	281	735
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	63	34
Average Queue (ft)	28	3
95th Queue (ft)	50	19
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:55	6:55	6:55	6:55	6:55	6:55
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1614	1713	1638	1725	1629	1663
Vehs Exited	1602	1717	1640	1711	1632	1659
Starting Vehs	11	17	21	14	17	14
Ending Vehs	23	13	19	28	14	18
Travel Distance (mi)	451	478	461	482	455	465
Travel Time (hr)	18.7	19.8	19.3	20.2	19.2	19.4
Total Delay (hr)	2.6	2.8	2.8	2.9	2.9	2.8
Total Stops	805	859	877	844	849	849
Fuel Used (gal)	16.0	17.2	16.5	17.1	16.3	16.6

Interval #0 Information Seeding

Start Time 6:55
End Time 7:00
Total Time (min) 5
Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 7:00
End Time 8:00
Total Time (min) 60
Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	1614	1713	1638	1725	1629	1663
Vehs Exited	1602	1717	1640	1711	1632	1659
Starting Vehs	11	17	21	14	17	14
Ending Vehs	23	13	19	28	14	18
Travel Distance (mi)	451	478	461	482	455	465
Travel Time (hr)	18.7	19.8	19.3	20.2	19.2	19.4
Total Delay (hr)	2.6	2.8	2.8	2.9	2.9	2.8
Total Stops	805	859	877	844	849	849
Fuel Used (gal)	16.0	17.2	16.5	17.1	16.3	16.6

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.5	0.0	0.2	0.3
Total Del/Veh (s)	1.2	0.4	13.2	2.4

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.1
Total Del/Veh (s)	0.5	3.3	11.3	2.2

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.2	0.0	0.1
Total Del/Veh (s)	4.7	5.5	5.5	6.0	5.4

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.2	0.2	0.1
Total Del/Veh (s)	3.5	0.3	0.2	0.9

Total Network Performance

Denied Del/Veh (s)	0.3
Total Del/Veh (s)	5.7

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	43	24	117
Average Queue (ft)	4	1	46
95th Queue (ft)	23	10	85
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	38	130	98
Average Queue (ft)	8	33	38
95th Queue (ft)	30	87	69
Link Distance (ft)	12	1288	740
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	2		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	61	57	74	56
Average Queue (ft)	25	31	36	31
95th Queue (ft)	49	51	60	46
Link Distance (ft)	647	1258	281	740
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	52	31
Average Queue (ft)	25	2
95th Queue (ft)	47	16
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2



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August, 2014

Traffic Signal Warrant Assessment

Washington Avenue/Fox Street/Walnut Street Intersection Portland, Maine

INTRODUCTION

An abbreviated traffic signal warrant analysis was conducted for the Washington Avenue/Fox Street/Walnut Street intersection based upon traffic data gathered in the month of August 2014 between the hours of 7:00 to 9:00 AM and, again, between the hours of 3:00 to 6:00 PM. The traffic data was adjusted by a factor of 13%, which represents the approximate variation between “peak” traffic collected during the week of August 14 and “average” travel conditions during the month of November (Adjustment factor based upon MaineDOT’s Weekly Group Mean Factors; refer to attached copy of MaineDOT factors). The abbreviated or preliminary traffic signal warrant analysis is based upon a total of 5-hours of traffic data; a formal traffic signal warrant study is generally prepared based upon 12-hours of traffic data and traffic information.

TRAFFIC SIGNAL WARRANT ASSESSMENT

The abbreviated traffic signal warrant analysis follows the guidelines presented in the 2009 edition of the Manual on Uniform Traffic Control Devices (MUTCD) in Chapter 4C. The MUTCD provides nine separate traffic signal warrants, whereby, prevailing conditions at an intersection can be evaluated to determine if sequenced traffic signals are warranted. Each of the nine warrants is listed as follows:

- Warrant 1 – Eight Hour Vehicular Volume
- Warrant 2 – Four Hour Vehicular Volume
- Warrant 3 – Peak Hour
- Warrant 4 – Pedestrian Volume
- Warrant 5 – School Crossing
- Warrant 6 – Coordinated Signal System
- Warrant 7 – Crash Experience
- Warrant 8 – Roadway Network
- Warrant 9 – Intersection near a Grade Crossing

The federal publication clearly states that, “*the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal*”. Guidance is specifically provided in the MUTCD on the conduct of the required engineering study and the judgment required in completing the signal warrant assessment. The direction provided, specific to prevailing conditions found at the study intersection, is summarized as follows:

A traffic signal should not be installed unless an engineering study indicates that the signal will improve the overall safety and/or operation of the intersection.

A signal should not be installed if it will seriously disrupt traffic flow.

Estimated 2014 "Average" Hourly Traffic Data

The presentation of the traffic volume data presented in Table 1 has been adjusted, as necessary, to project the hourly "major" and "minor" street volumes used in the conduct of the traffic signal warrant study.

Table 1
Abbreviated Traffic Signal Warrant Study
"Average" Conditions-Traffic Values⁽¹⁾
Washington Avenue/Fox Street/Walnut Street Intersection

<u>Time of Day</u>	<u>Major Street Volume⁽²⁾</u> <u>(Both Approaches)</u> <u>Washington Avenue</u>	<u>Minor Street Volume⁽³⁾</u> <u>Fox Street</u>	<u>Minor Street Volume⁽³⁾</u> <u>Walnut Street</u>
7:00 - 8:00 AM	562	73	67
8:00 - 9:00 AM	740	87	84
3:00 - 4:00 PM	634	59	117
4:00 - 5:00 PM	867	71	145
5:00 - 6:00 PM	880	41	131

Notes:

⁽¹⁾ "Average traffic values were computed applying a 13% reduction of August 2014 Traffic Data (refer to copy of August traffic count cards for subject intersection), which is based upon the Maine Department of Transportation's Weekly Group Mean Factors.

⁽²⁾ Washington Avenue has been defined as the "major" street.

⁽³⁾ Minor Street approaches are both Fox Street and Walnut Street. All right-turn movements were included in hourly Minor Street volumes.

Traffic Safety Data: The Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT's criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report). The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) the second pattern, with a total of three collisions, involved vehicles approaching Washington Avenue from Walnut Street sliding through the intersection striking a thru vehicle on Washington Avenue.

Traffic Signal Warrant Analyses: The evaluation was conducted for Warrants 1, 2, 3, and 7 and was based upon the 5-hours of traffic data presented in Table 1 only.

Each of the three traffic signal warrants used in the analyses are briefly described below followed by a determination of whether forecast conditions meet or fail required conditions.

Warrant 1: Eight Hour Vehicular Volume

Condition A - Warrant requires 500 vehicles per hour on major roadway (combination of both directions) and a total of 150 vehicles per hour on the highest minor street approach.

Condition B - Warrant requires 750 vehicles per hour on major roadway (combination of both directions) and a total of 75 vehicles per hour on the highest minor street approach.

Condition A+B - Warrant requires 80% of values stated for both Conditions A & B.

Warrant Likely Not Satisfied

Warrant 2: Four Hour Vehicular Volume

If travel conditions for any four hours of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach all fall above the applicable curve in Figure 4C-1 then warrant is met.

Warrant Likely Not Satisfied

Warrant 3: Peak Hour

If travel conditions for one hour of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach fall above the applicable curve in Figure 4C-3 then warrant is met.

Warrant Likely Not Satisfied

Warrant 7: Crash Experience

Analysis based upon conclusions of safety evaluation conducted in Safety History Section above. Each of the following criteria must be met to consider the need for a traffic control signal:

- A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and
- B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period; and
- C. For each of any 8 hours of an average day the vehicles per hour given in the 80% column for Condition A in Table 4C-1 or the vph in both of the columns of Condition B in Table 4C-1 exists on both the major and minor street approaches.

Warrant Likely Not Satisfied



2012
Weekly Group Mean Factors
Average: 2009, 2010, 2011

Month	Start Date	Dates	Month Week #	Urban Group I	Arterial Group II	Recreational Group III	Group I + II	Group II + III	Group I + III	Year Week #
Jan	01	2,3,4,5,6	1	1.02	1.11	1.35	1.07	1.23	1.19	1
	08	9,10,11,12	2	1.09	1.21	1.50	1.15	1.36	1.30	2
	15	16,17,18,1	3	1.10	1.23	1.53	1.17	1.38	1.32	3
	22	23,24,25,2	4	1.05	1.18	1.46	1.12	1.32	1.26	4
	29	30,31,1,2,3	5	1.12	1.26	1.57	1.19	1.42	1.35	5
Feb	05	6,7,8,9,10	1	1.02	1.14	1.41	1.08	1.28	1.22	6
	12	13,14,15,1	2	1.02	1.12	1.36	1.07	1.24	1.19	7
	19	20,21,22,2	3	1.06	1.15	1.38	1.11	1.27	1.22	8
	26	27,28,29,1	4	1.06	1.17	1.38	1.12	1.28	1.22	9
Mar	04	5,6,7,8,9	1	1.06	1.16	1.39	1.11	1.28	1.23	10
	11	12,13,14,1	2	1.00	1.10	1.33	1.05	1.22	1.17	11
	18	19,20,21,2	3	1.02	1.13	1.35	1.08	1.24	1.19	12
	25	26,27,28,2	4	1.01	1.12	1.32	1.07	1.22	1.17	13
Apr	01	2,3,4,5,6	1	0.98	1.09	1.26	1.04	1.18	1.12	14
	08	9,10,11,12	2	0.97	1.08	1.22	1.03	1.15	1.10	15
	15	16,17,18,1	3	0.97	1.04	1.12	1.01	1.08	1.05	16
	22	23,24,25,2	4	0.97	1.05	1.17	1.01	1.11	1.07	17
	29	30,1,2,3,4	5	0.93	1.02	1.10	0.98	1.06	1.02	18
May	06	7,8,9,10,11	1	0.92	1.00	1.08	0.96	1.04	1.00	19
	13	14,15,16,1	2	0.92	0.98	1.04	0.95	1.01	0.98	20
	20	21,22,23,2	3	0.89	0.93	0.92	0.91	0.93	0.91	21
	27	28,29,30,3	4	0.90	0.94	0.96	0.92	0.95	0.93	22
Jun	03	4,5,6,7,8	1	0.89	0.93	0.91	0.91	0.92	0.90	23
	10	11,12,13,1	2	0.90	0.92	0.90	0.91	0.91	0.90	24
	17	18,19,20,2	3	0.90	0.89	0.81	0.90	0.85	0.86	25
	24	25,26,27,2	4	0.89	0.86	0.77	0.88	0.82	0.83	26
Jul	01	2,3,4,5,6	1	0.87	0.81	0.70	0.84	0.76	0.79	27
	08	9,10,11,12	2	0.88	0.83	0.71	0.86	0.77	0.80	28
	15	16,17,18,1	3	0.88	0.82	0.69	0.85	0.76	0.79	29
	22	23,24,25,2	4	0.88	0.81	0.67	0.85	0.74	0.78	30
	29	30,31,1,2,3	5	0.87	0.79	0.64	0.83	0.72	0.76	31
Aug	05	6,7,8,9,10	1	0.87	0.78	0.65	0.83	0.72	0.76	32
	12	13,14,15,1	2	0.87	0.79	0.66	0.83	0.73	0.77	33
	19	20,21,22,2	3	0.88	0.81	0.70	0.85	0.76	0.79	34
	26	27,28,29,3	4	0.88	0.85	0.78	0.87	0.82	0.83	35
Sep	02	3,4,5,6,7	1	0.89	0.88	0.86	0.89	0.87	0.88	36
	09	10,11,12,1	2	0.90	0.90	0.89	0.90	0.90	0.90	37
	16	17,18,19,2	3	0.91	0.91	0.92	0.91	0.92	0.92	38
	23	24,25,26,2	4	0.92	0.91	0.96	0.92	0.94	0.94	39
	30	1,2,3,4,5	5	0.91	0.89	0.98	0.90	0.94	0.95	40
Oct	07	8,9,10,11,1	1	0.92	0.90	0.98	0.91	0.94	0.95	41
	14	15,16,17,1	2	0.93	0.95	1.05	0.94	1.00	0.99	42
	21	22,23,24,2	3	0.95	1.00	1.12	0.98	1.06	1.04	43
	28	29,30,31,1	4	0.95	1.02	1.18	0.99	1.10	1.07	44
Nov	04	5,6,7,8,9	1	0.96	1.04	1.21	1.00	1.13	1.09	45
	11	12,13,14,1	2	0.97	1.04	1.23	1.01	1.14	1.10	46
	18	19,20,21,2	3	1.00	1.04	1.25	1.02	1.15	1.13	47
	25	26,27,28,2	4	0.97	1.03	1.24	1.00	1.14	1.11	48
Dec	02	3,4,5,6,7	1	1.00	1.13	1.32	1.07	1.23	1.16	49
	09	10,11,12,1	2	1.01	1.12	1.34	1.07	1.23	1.18	50
	16	17,18,19,2	3	0.98	1.08	1.30	1.03	1.19	1.14	51
	23	24,25,26,2	4	1.08	1.14	1.34	1.11	1.24	1.21	52

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Att. J

September 17, 2014

Jonathan Culley
Redfern Properties, LLC
P.O. Box 8816
Portland, Maine 04104

RE: Portland Anderson Street Apartment Project – Trip Generation 3G's Garage

Dear Jonathan:

In an effort to accurately measure the existing volume of peak hour traffic generated by the 3G's auto repair garage, in-field traffic counts were conducted on Thursday, September 11 (Field data summary sheets from that effort are attached for documentation of the results). Manual traffic counts were conducted between the hours of 7:30 to 9:00 AM and again between 3:30 to 5:30 PM. From a summary of the data during each peak travel period, the total volume of trips entering or exiting the garage was determined. A total of 12 vehicle trips was recorded entering/exiting the garage during the morning peak hour (7:30 to 8:30 AM) and a total of 24 trips was measured in the evening peak hour of 3:30 to 4:30 PM.

Your proposed 53-unit apartment project, which will raze the existing 3G's garage, is projected to generate a total of 27 trips in the AM peak hour and 33 trips during the PM peak hour. Accordingly, the "net" increase in vehicle trips generated by the proposed 53-unit apartment project is 15 trips during the AM peak hour and 9 trips in the PM peak hour.

The Traffic Impact Study conducted for the proposed project by Traffic Solutions was prepared based upon the full vehicle trip generation of the 53-unit apartment project with no deduction applied for vehicle trips generated by the existing 3G's auto repair garage. The results presented in the noted report represent an extremely conservative assessment of the projects traffic impact.

I spoke to Tom Errico, P.E.; the City's Peer Traffic Consultant, yesterday and promised him a copy of this letter to further assist him in his review of the traffic impacts of the proposed project.

Very truly yours,

William J. Bray, P.E.

Cc: Thomas Errico, P.E.

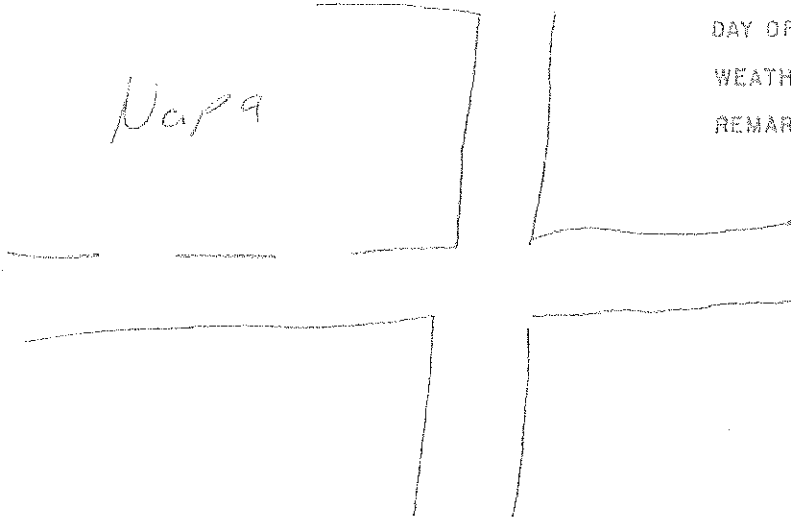
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930-3909
P. 000/0 combination

JOB NO.

INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:

INTERSECTION For Napa Nucleus
DATE 7/11
DAY OF WEEK Thursday
WEATHER _____
REMARKS:



COUNT SUMMARY
MOVEMENT

In Out

	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
1:00	5	4											
1:15	2	4											
1:30	2	4											
2:00	5	4											9
2:15	5	4											9
2:30	2	4											6
3:00	1	3											4
3:15	2	3											5
3:30	2	3											5
3:45	2	1											3
4:00	—	1											1
4:15	—	2											2
4:30													
4:45													
5:00													
5:15													
5:30													
5:45													
6:00													

PEAK HOUR COUNT

11

TIME:

TO:

JOE NO.

INTERSECTION

For Mary Libera

DATE 2/1

DAY OF WEEK

WEATHER

REMARKS:

- Mapa (ais de l'orig. p. 10)

✓✓

2. 94

[illegible]

FOR YOUR COPY

from 7:30 to 8:30

[illegible]



Traffic Solutions
William J. Bray, P.E.
235 Bancroft Street
Portland, ME 04102
(207) 774-3603
(207) 400-6890 mobile
trafficsolutions@maine.rr.com

Att. K

October 30, 2014

Thomas A. Errico, P.E.
Senior Associate
Traffic Engineering Director
T.Y. Lin International
12 Northbrook Drive
Falmouth, ME 04105

RE: 89 Anderson Street East Bayside Lofts Project – Response to Comments Received September 17 and October 2, 2014

Dear Tom:

This letter formally addresses comments (requiring a response) presented in the noted documents identified above from your office, which I understand is based upon a preliminary review of the traffic materials previously submitted for the proposed East Bayside Lofts Project. Each comment is noted in italic print followed by an appropriate response in "bold" print.

September 17, 2014 E-Mail Document

1. The study collected traffic volumes at the Washington Avenue/Fox Street/Walnut Street intersection during the summer time period and not when area schools were in session. It is requested that the traffic counts be updated to include school activity.

A 12-hour manual traffic count was conducted at the noted intersection on Tuesday, October 28, 2014 with all vehicular, pedestrian and bicycle traffic approaching the intersection recorded in 15-minute intervals. From a summary of the data, a peak hour of traffic was determined for both the morning and afternoon peak time periods. The following table compares the peak hour data collected earlier on Thursday, August 14 with the most recent data collected on October 28.

**Traffic Volume Data Comparison
Washington Avenue/Fox Street/Walnut Street
(August 14 and October 28, 2014)**

Turning Movement	August 14, 2014		October 14, 2014		Difference	
	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
Washington Ave. EB Left to Walnut St.	11	26	15	24	4	2
Washington Ave. EB Thru movement	530	313	605	253	75	60
Washington Ave. EB Right to Fox St.	46	43	38	35	8	8
Washington Ave. WB Left to Fox St.	60	76	69	76	9	0
Washington Ave. WB Thru movement	191	579	209	451	18	128
Washington Ave. WB Right to Walnut St.	13	26	8	15	5	11
Walnut St. Left to Washington Ave. EB	12	7	11	9	1	2
Walnut St. Left to Fox St.	61	46	66	30	5	16
Walnut St. Right to Washington Ave. WB	27	24	41	10	14	14
Fox St. Left to Washington Ave. WB	36	43	30	26	6	17
Fox St. Left to Walnut St.	9	59	29	51	20	8
Fox St. Right to Washington Ave. EB	52	58	35	36	17	22
TOTAL Volumes					108	184

Notes: Red highlighted numbers reflect the volume increase of August data compared to October data.

As presented in the table, the traffic data collected during the month of August is slightly lower than the data collected in the month of October during the morning peak hour and the August data is considerably greater in the PM peak hour.

2. An estimated traffic signal warrant evaluation was conducted at the Washington Avenue/Fox Street/Walnut Street intersection and could not conclusively determine whether a traffic signal should be installed. The applicant should conduct a full comprehensive traffic signal warrant study and render a decision on traffic signalization.

A detailed traffic signal warrant assessment has been completed and is attached as a separate document to the body of this letter. The traffic signal warrant assessment concluded that prevailing travel conditions at the noted intersection do not meet the warrants for signalization.

3. The traffic study should be revised to account for all development land uses. It is my understanding that a restaurant is being proposed and, therefore, should be included in the analysis.

Attached is a copy of the latest development proposal, dated October 17, 2014, which identifies a total of 2,780 square feet of commercial space proposed for the first floor of the development. At this time specific usage of this space remains undetermined. The eighth edition of the Institute of Transportation Engineers (ITE) "TRIP GENERATION" manual was used to determine the volume of site traffic generated by the commercial space. The ITE publication provides numerous land-use categories and the average volume of trips that are generated by each category. The following trip rates were used to calculate the trip generation of the proposed project:

Land Use #814 – Specialty Retail Center
PM Peak Hour = 2.71 trips/1000 square feet

Accordingly, the proposed 2,780 square feet of commercial space can be expected to generate a total of 8 additional site generated trips in the PM peak hour. The previous traffic impact study completed for the proposed 53-apartment units estimated that a total of 27 trips would be generated in the morning peak

hour and a total of 33 trips in the afternoon peak hour. The revised total volume of peak hour trips generated by the proposed 89 Anderson Street project is 27 trips in the morning peak hour and a total of 41 trips in the evening peak hour. As previously discussed with your office, the proposed East Bayside Lofts Project displaces the existing 3G's automobile repair center. Peak hour vehicle trips generated by the existing site should be appropriately deducted from the estimate of "new" site generated trips to forecast the "net" increase in site generated traffic. Attached is a copy of a letter, dated September 17, 2014, which was forwarded to your office that provides documentation on the volume of trips generated by the existing 3G's auto repair facility. The estimate of trips was determined based upon field counts conducted onsite on September 11, 2014. In summary, the existing 3G's auto repair facility generates a total of 12 trips in the morning peak hour and a total of 24 trips in the PM peak hour. Subtraction of these existing trips from the forecasted volume of trips generated by the proposed project results in a total volume of "new" trips generated by the proposed project of 15 trips in the AM peak hour and a total of 17 PM peak hour trips. Both "new" site generated peak hour values are lower than the volume of site generated trips utilized in the traffic impact study completed for the proposed project in August 2104. Therefore, the intersection levels of service summary, presented in the August traffic impact study, are conservative estimates of the project's impact on intersection operations.

October 2, 2014 E-Mail Document

4. Contact Ethan Owens from the City's Recreational Department and get a schedule of field events.

Please find attached copies of the City's fall schedule of events held at the East Bayside Athletic Facility. The majority of events scheduled for weekdays are between the hours of 5:00 and 8:00 PM. A traffic count was conducted at the Anderson Street/Fox Street intersection on Friday, October 24, 2014 between the hours of 12-Noon and 6:00 PM (Copy of traffic data is attached for reference) to measure the traffic impacts of the recreational uses at the East Bayside Field Complex. Two events were scheduled for the field complex that evening; unfortunately weather conditions required cancelation of both events. The scheduled count was completed anyway to measure the impact of the adjacent Mosque has on traffic operations at the intersection. The traffic data was summarized and it was determined that the peak hour at the intersection occurred between the hours of 3:45 and 4:45 PM when a total of 652 vehicles entered the intersection. The most recent traffic data was then compared with the traffic count data conducted on Tuesday, August 12, 2014, which was used in the conduct of the traffic impact study for the project to determine the validity of the earlier data. A total of 665 vehicles were recorded at the intersection in August, which represents a slightly higher volume than the October data. Although it would have been desirable to obtain traffic data for the intersection during scheduled field events at the East Bayside Field Complex; a high level of confidence remains in the validity of the conclusions of the traffic impact study even with omission of traffic data generated by the sports field complex. The noted intersection was projected to operate at the absolutely best level of service (Level of Service A) under post-development conditions and, based upon that determination, it is highly reasonable to assume that more than acceptable traffic operations would remain at the intersection even with the addition of significantly heavier peak hour volumes of traffic generated by the Sports fields.

5. Contact the Mosque and see what their schedule is.

A gentleman at the Mosque advised that the busiest time period at the religious facility occurs on a Friday between the hours of 12-Noon and 6:00 PM. A traffic survey was conducted at the Anderson Street/Fox Street intersection between the noted hours (Copy of the data summary is attached). From a summary of the data a peak hour was determined for the six hour manual traffic count. The highest volume of vehicles entering the intersection occurred between 3:45 and 4:45 PM when a total of 652 vehicles entered the intersection. The total volume of traffic recoded during this time period is slightly lower than the values measured during the month of August, when a total of 665 vehicles was recorded.

Pedestrian travel through the intersection was somewhat heavy between 12:00 and 1:30 PM, when more than 90 pedestrians walked through the intersection.

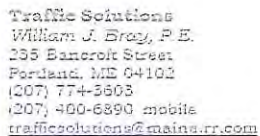
6. *Contact the North End School and see if they have any unusual days in the coming weeks.*

The school administrative office advised that the school has early discharge times on Wednesdays, while Tuesdays and Thursdays generally represent typical conditions.

Tom, your assistance and guidance in sorting through the myriad of traffic issues and determining the additional traffic data and analyses requirements is much appreciated. Please contact me with questions or clarification of the information enclosed.

Very truly yours,

WILLIAM JAMES BRAY
NO. 507
PROFESSIONAL ENGINEER
WILLIAM J. BRAY/P.E.

[illegible]

Portland
 Intersection: Washington Ave/Fox St/Walnut St
 Date: 10/28/14
 Day of Week: Tuesday
 Weather: _____
 Remarks: _____

Red = Bicycle Movement
Green = Pedestrian Movement

[illegible]

[illegible]



Traffic Solutions

William J. Bray, P.E.
235 Bancroft Street
Portland, ME 04102
(207) 774-3603
(207) 400-6890 mobile
trafficsolutions@maine.rr.com

September 17, 2014

Jonathan Culley
Redfern Properties, LLC
P.O. Box 8816
Portland, Maine 04104

RE: Portland Anderson Street Apartment Project – Trip Generation 3G's Garage

Dear Jonathan:

In an effort to accurately measure the existing volume of peak hour traffic generated by the 3G's auto repair garage, in-field traffic counts were conducted on Thursday, September 11 (Field data summary sheets from that effort are attached for documentation of the results). Manual traffic counts were conducted between the hours of 7:30 to 9:00 AM and again between 3:30 to 5:30 PM. From a summary of the data during each peak travel period, the total volume of trips entering or exiting the garage was determined. A total of 12 vehicle trips was recorded entering/exiting the garage during the morning peak hour (7:30 to 8:30 AM) and a total of 24 trips was measured in the evening peak hour of 3:30 to 4:30 PM.

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The Traffic Impact Study conducted for the proposed project by Traffic Solutions was prepared based upon the full vehicle trip generation of the 53-unit apartment project with no deduction applied for vehicle trips generated by the existing 3G's auto repair garage. The results presented in the noted report represent an extremely conservative assessment of the projects traffic impact.

I spoke to Tom Errico, P.E.; the City's Peer Traffic Consultant, yesterday and promised him a copy of this letter to further assist him in his review of the traffic impacts of the proposed project.

Very truly yours,


William J. Bray, P.E.
Cc: Thomas Errico, P.E.

JOB NO.

INTERSECTION Fox River Pubcat

DATE 9/11

DAY OF WEEK *Thurs day*

WEATHER

REMARKS:

- Para cars delivering parts

V. G. ...

COUNT SUMMARY
MOVEMENT

T_{0+}

[illegible]

PEAK HOUR COUNT

1. 2

10.

I rewound each time

930-3909
p.donley@camdenauti.com

JOB NO. _____

INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:INTERSECTION Fox Napa AutocareDATE 7/11DAY OF WEEK Thursday

WEATHER _____

REMARKS: _____

Napa

COUNT SUMMARY
MOVEMENT

In Out

	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
5:00	5	4											
5:15													
5:30	2	4											
5:45	5	4											
6:00	2	4											
6:15	1	3											
6:30	2	3											
6:45	2	3											
7:00	2	1											
7:15	-	1											
7:30	-	2											
7:45													
8:00													
8:15													
8:30													
8:45													
9:00													

PEAK HOUR COUNT

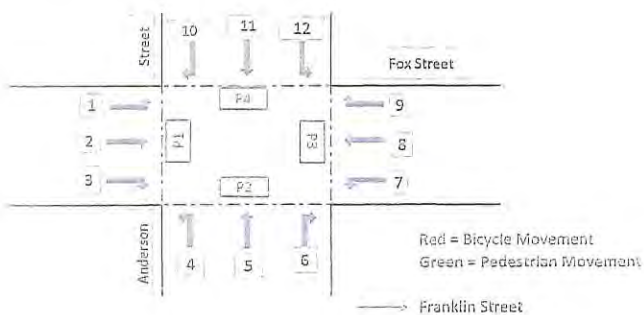
TIME:

TO:



Traffic Soluti
William J. Bray, P.E.
255 Bancroft Street
Portland, ME 04102
(207) 774-5803
(207) 400-6890 mobile
trafficsolutions@maine.rr.com

INTERSECTION PLAN WITH NUMBERED MOVEMENTS:



Portland
Intersection: Fox Street/Anderson Street
Date: 10/24/14
Day of Week: Friday
Weather: Cloudy
Remarks: School bus came btwn 3:15-3:30

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C3	C5	C6	C7	C8	C9	C11	C12
3:00	3:15	3	27	2	2	9	16	9	33	14	3	6	17	141	6	2	0	3	1	0	0	0	0	0	0	0	0
Truck Count		0	1	2	0	0	0	0	2	1	0	0	0	6													
3:15	3:30	3	40	2	8	9	16	11	24	10	5	8	12	148	10	0	3	11	0	1	1	0	1	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1													
3:30	3:45	1	42	1	2	7	19	7	30	22	2	10	7	150	0	0	2	0	0	0	0	0	0	0	0	1	0
Truck Count		0	1	0	0	0	0	1	0	0	0	0	0	2													
3:45	4:00	0	42	1	6	8	34	6	34	16	3	6	15	171	1	0	0	1	0	0	0	1	0	0	0	0	0
Truck Count		0	1	0	0	0	1	0	0	0	1	0	0	3													
4:00	4:15	3	38	8	3	13	20	10	29	13	0	8	22	167	0	0	1	0	1	0	0	0	0	1	0	0	0
Truck Count		0	0	0	1	0	0	0	1	0	0	0	0	2													
4:15	4:30	1	34	1	4	6	18	7	31	25	3	3	12	145	0	1	1	2	0	0	0	0	0	0	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1													
4:30	4:45	2	47	5	4	14	12	11	38	10	1	5	14	163	1	0	0	2	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0													
4:45	5:00	0	48	5	9	3	7	0	42	12	2	1	11	140	0	1	0	0	0	0	0	0	0	0	0	0	0
Truck Count		0	0	1	1	0	0	0	0	1	0	0	0	3													
5:00	5:15	0	43	2	7	11	19	5	37	14	0	3	16	157	1	0	1	4	0	0	0	0	0	0	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0													
5:15	5:30	2	24	3	6	8	18	7	36	13	1	4	12	134	2	0	1	5	0	0	0	0	1	0	1	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1													
5:30	5:45	2	24	4	4	7	10	15	37	16	1	4	18	142	5	0	0	5	1	0	1	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	1	0	0	0	0	2													
5:45	6:00	1	14	2	6	3	12	3	32	12	1	4	9	99	1	0	7	3	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	1	0	0	1	0	2													

PEAK HOUR COUNT

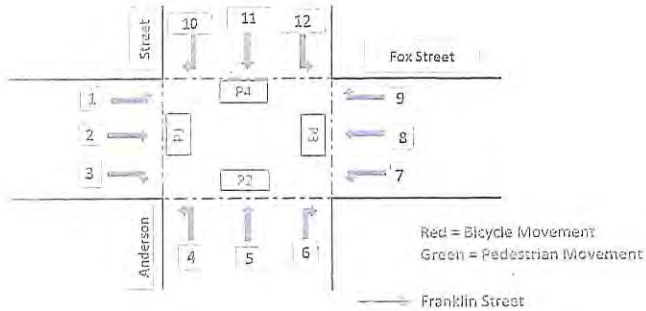
TIME: 3:45 TO: 4:45

6	163	15	18	41	85	34	133	64	8	22	63	652
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Traffic Solutions
 William J. Bray, P.E.
 235 Bancroft Street
 Portland, ME 04102
 (207) 774-3603
 (207) 400-6890 mobile
trafficolutions@maine.rr.com

INTERSECTION PLAN WITH NUMBERED MOVEMENTS:



Portland
 Intersection: Fox Street/Anderson Street
 Date: 10/24/14
 Day of Week: Friday
 Weather: Cloudy
 Remarks:

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C4	C5	C6	C7	C8	C9	C11	C12
12:00	12:15	2	31	4	8	8	16	12	35	12	2	10	10	150	0	1	2	1	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	1	1	0	2	0	0	0	0	4													
12:15	12:30	0	28	3	6	11	17	16	30	16	2	5	13	147	5	0	2	1	0	0	0	1	0	0	0	0	0
Truck Count		0	2	0	1	1	0	0	1	0	0	0	1	6													
12:30	12:45	0	28	3	4	10	16	12	27	7	4	3	15	129	5	1	3	1	0	0	0	0	1	0	0	0	0
Truck Count		0	1	0	0	0	0	0	2	0	0	1	1	5													
12:45	1:00	1	28	7	8	10	18	7	27	16	2	8	11	143	4	1	8	0	0	0	0	0	0	0	0	0	0
Truck Count		0	2	0	0	1	1	0	2	1	0	0	0	7													
1:00	1:15	0	30	5	3	8	19	11	29	4	0	6	10	125	4	2	3	1	0	0	1	0	0	0	0	0	0
Truck Count		0	1	0	0	0	0	0	0	2	0	0	0	3													
1:15	1:30	0	39	3	14	20	48	7	32	9	3	3	21	199	23	1	19	3	2	1	1	0	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0													
1:30	1:45	0	37	3	4	13	32	10	23	12	1	1	13	149	1	1	0	1	0	0	0	0	0	0	0	0	0
Truck Count		0	1	0	0	0	4	1	0	0	0	0	0	6													
1:45	2:00	1	31	4	4	12	41	10	27	13	1	4	8	156	2	1	4	3	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	0	2	1	0	0	0	0	0	3													
2:00	2:15	0	33	5	4	5	12	5	16	12	1	4	17	114	0	0	0	0	0	0	0	0	0	0	0	1	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1													
2:15	2:30	0	34	3	4	6	2	10	25	8	1	6	13	112	1	2	2	4	0	0	0	1	1	0	0	0	0
Truck Count		0	0	0	0	0	2	0	0	0	0	0	0	2													
2:30	2:45	0	22	1	5	7	9	6	33	11	2	3	17	116	7	1	0	1	0	0	0	0	0	0	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0													
2:45	3:00	2	26	3	6	7	17	7	33	20	1	5	12	139	0	1	1	1	0	0	0	0	0	1	2	0	2
Truck Count		0	0	1	0	0	3	0	0	0	0	0	0	4													

PEAK HOUR COUNT

TIME: 1:00 TO: 2:00

1	139	15	25	53	146	40	111	40	5	14	52	641
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September 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	2 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	3 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	4 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	6 11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch 11:00 AM-3:00 PM
7 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	8 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	10 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	11 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	12 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	13 12:00 PM-4:00 PM Men's Rugby AF Game Field Prep Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
14 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	15 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	16 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	17 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	18 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	19 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	20 11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch 11:00 AM-3:00 PM
21 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro	22 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	23 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	24 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	25 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	26 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	27 11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch

September 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
21 10:45 AM-1:15 PM	22 5:00 PM-8:00 PM	23 5:00 PM-8:00 PM	24 5:00 PM-8:00 PM	25 5:00 PM-8:00 PM	26 5:00 PM-8:00 PM	27 11:00 AM-3:00 PM
28 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	29 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	30 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM				

October 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
			5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	12:00 PM-4:00 PM Men's Rugby AF Game Field Prep Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
5	6	7	8	9	10	11
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	12:00 PM-4:00 PM Men's Rugby AF Game Field Prep Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
12	13	14	15	16	17	18
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
19	20	21	22	23	24	25
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
26	27	28	29	30	31	
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep						

October 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	
The Plymouth House / John Buro 10:45 AM-1:15 PM						



November 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1

**Traffic Signal Warrant Assessment
Washington Avenue/Fox Street/Walnut Street Intersection
Portland, Maine**

TRAFFIC SIGNAL WARRANT ASSESSMENT

The traffic signal warrant analysis follows the guidelines presented in the 2009 edition of the Manual on Uniform Traffic Control Devices (MUTCD) in Chapter 4C. The MUTCD provides nine separate traffic signal warrants, whereby, prevailing conditions at an intersection can be evaluated to determine if sequenced traffic signals are warranted. Each of the nine warrants is listed as follows:

- Warrant 1 – Eight Hour Vehicular Volume
- Warrant 2 – Four Hour Vehicular Volume
- Warrant 3 – Peak Hour
- Warrant 4 – Pedestrian Volume
- Warrant 5 – School Crossing
- Warrant 6 – Coordinated Signal System
- Warrant 7 – Crash Experience
- Warrant 8 – Roadway Network
- Warrant 9 – Intersection near a Grade Crossing

The federal publication clearly states that, *“the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal”*. Guidance is specifically provided in the MUTCD on the conduct of the required engineering study and the judgment required in completing the signal warrant assessment. The direction provided, specific to prevailing conditions found at the study intersection, is summarized as follows:

A traffic signal should not be installed unless an engineering study indicates that the signal will improve the overall safety and/or operation of the intersection.

A signal should not be installed if it will seriously disrupt traffic flow.

Estimated 2014 “Average” Hourly Traffic Data: The federal MUTCD publication specifically states that the determination of traffic signal justification must be based upon “average” travel conditions. MaineDOT provides weekly group mean factors for multiple roadway classifications for the full state highway system based upon their extensive annual traffic count program. MaineDOT has established that the section of Washington Avenue and both Walnut and Fox Streets at the noted intersection are Group I roadways, which are defined as urban roadways or those roads that typically see commuter traffic and experience little fluctuation from week to week throughout the year. MaineDOT’s annual count program suggests that the last week in October, during a typical year is generally representative of “average” travel conditions (MaineDOT’s weekly mean factor for the week of October 27 is 0.97).

Accordingly, a manual traffic turning movement count was conducted at the subject intersection on Tuesday, October 28, 2014. The traffic data survey recorded all vehicular and pedestrian traffic entering the intersection in 15-minute intervals between the hours of 6:00AM and 6:00PM consistent with the MaineDOT’s policy in the performance of a traffic signal warrant study (A copy of the data summary is

attached for reference). Table 1 below presents the collected data in a summary format for the traffic signal warrant assessment:

Table 1
Traffic Signal Warrant Study
"Average" Conditions - Vehicular and Pedestrian Volumes
(Washington Avenue/Fox Street/Walnut Street Intersection)

<u>Time of Day</u>	<u>Major Street Volume⁽¹⁾</u> <u>(Both Approaches</u> <u>Washington Avenue)</u>	<u>Minor Street</u> <u>Volume⁽²⁾</u> <u>Fox Street</u>	<u>Minor Street</u> <u>Volume⁽²⁾</u> <u>Walnut Street</u>	<u>Pedestrian Volumes</u> <u>Crossing Washington</u> <u>Avenue</u>
6:00 - 7:00AM	359	59	59	0
7:00 - 8:00AM	698	91	87	7
8:00 - 9:00AM	921	95	116	6
9:00 - 10:00AM	551	73	69	5
10:00 - 11:00AM	539	97	48	11
11:00 - 12:00PM	509	97	55	8
12:00 - 1:00PM	601	109	61	22
1:00 - 2:00PM	608	133	55	25
2:00 - 3:00PM	587	118	75	11
3:00 - 4:00PM	680	131	61	6
4:00 - 5:00PM	801	125	47	13
5:00 - 6:00PM	674	96	54	12

Notes:

⁽¹⁾ Washington Avenue has been defined as the "major" street.

⁽²⁾ Minor Street approaches are both Fox Street and Walnut Street. All right-turn movements were included in hourly Minor Street volumes.

Traffic Safety Data: The Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT's criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report).

The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) the second pattern, with a total of three collisions, involved vehicles approaching Washington Avenue from Walnut Street sliding through the intersection striking a thru vehicle on Washington Avenue.

Traffic Signal Warrant Analyses: The assessment was conducted for Warrants 1, 2, 3, 4 and 7; the remaining warrants were considered not applicable for conditions found at the subject intersection. Each of the five traffic signal warrants used in the analyses are briefly described below followed by a determination of whether forecast conditions meet or fail required conditions.

Warrant 1: Eight Hour Vehicular Volume

Condition A - Warrant requires 500 vehicles per hour on major roadway (combination of both directions) and a total of 150 vehicles per hour on the highest minor street approach.

Condition B - Warrant requires 750 vehicles per hour on major roadway (combination of both directions) and a total of 75 vehicles per hour on the highest minor street approach.

Condition A+B - Warrant requires 80% of values stated for both Conditions A & B.

Warrant Not Satisfied Condition A: Hourly volumes on either side street below minimum value of 150 vehicles for eight hour time period.

Warrant Not Satisfied Condition B: Hourly volumes on major street below minimum value of 775 vehicles for eight hour time period.

Warrant Not Satisfied Condition A+B: Hourly volumes on both major and minor streets below minimum values for eight hour time period.

Warrant 2: Four Hour Vehicular Volume

If travel conditions for any four hours of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach all fall above the applicable curve in Figure 4C-1 (Refer to attached Figure 4C-1 with plotted points).

Warrant Not Satisfied: All points on Figure 4C-1 fall below applicable curve.

Warrant 3: Peak Hour

If travel conditions for one hour of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach fall above the applicable curve in Figure 4C-3. (Refer to attached Figure 4C-3 with plotted points).

Warrant Not Satisfied: All points on Figure 4C-3 fall below applicable curve.

Warrant 4: Pedestrian Volume

The need for a traffic signal shall be considered if study finds that one of the following criteria is met:

A. For each of any 4 hours of an "average" day the volume of vehicles on major street and the volume of pedestrians crossing street all fall above curve in Figure 4C-5 or,

B. For 1 hour (any four consecutive 15-minute periods) of an "average" day the volume of vehicles on major street and the volume of pedestrians crossing major street falls above curve in Figure 4C-7.

Warrant Not Satisfied Condition A: All points on Figure 4C-5 fall below applicable curve.

Warrant Not Satisfied Condition B: All points on Figure 4C-7 fall below applicable curve.

Warrant 7: Crash Experience

Each of the following criteria must be met to consider the need for a traffic control signal:

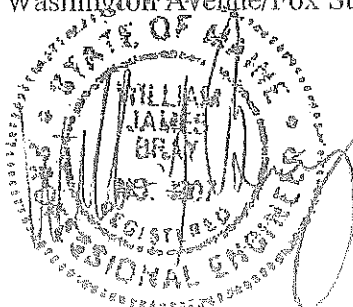
A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and

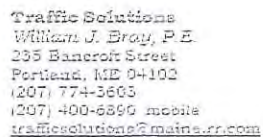
B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period; and

C. For each of any 8 hours of an average day, the vehicles per hour given in the 80% column for Condition A in Table 4C-1, or the vph in both of the columns of Condition B in Table 4C-1 exists on both the major and minor street approaches.

Warrant Not Satisfied: Criteria B isn't met, only four crashes reported by MaineDOT meet standard. Criteria C traffic volume requirement of 80% of values for Condition A and B stated in Warrant 1 above are not met for eight hours of an average day.

In summary, based upon the presentation of facts stated above, sequenced traffic control signals are not warranted at the Washington Avenue/Fox Street/Walnut Street intersections.





The map shows a grid of streets. The vertical streets are labeled 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. The horizontal streets are labeled A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z. The map includes a bus stop at the intersection of 10th Street and 10th Avenue, a traffic light at the intersection of 10th Street and 10th Avenue, and a traffic light at the intersection of 10th Street and 10th Avenue. The map also shows a street named Walnut Street and a street named Fox Street.

Red = Bicycle Movement
Green = Pedestrian Movement

Portland
Intersection: Washington Ave/Fox St/Walnut St
Date: 10/28/14
Day of Week: Tuesday
Weather: _____
Remarks: _____

Count Summary Movement

Count Summary Movement																														
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C1	C2	C3	C4	C6	C7	C8	C9	C10	C11	C12	
6:00	6:15	4	29	3	4	1	9	6	9	0	0	3	3	71	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	1	0	1	0	0	2																
6:15	6:30	3	37	5	4	3	6	5	21	0	4	16	0	104	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Truck Count		0	3	0	0	0	0	0	0	0	0	0	0	3																
6:30	6:45	4	45	6	4	6	5	10	35	2	0	4	13	134	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1																
6:45	7:00	3	82	10	2	8	7	7	25	0	0	10	3	167	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	
Truck Count		0	1	0	0	0	0	1	0	0	0	1	1	4																
7:00	7:15	8	55	4	6	4	8	7	28	1	2	15	6	144	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	
Truck Count		0	1	0	0	0	0	0	2	0	1	0	0	4																
7:15	7:30	5	97	2	5	3	15	11	35	1	0	13	4	191	0	2	3	0	0	0	0	0	0	0	3	0	0	0	0	
Truck Count		0	3	0	0	0	0	0	2	0	0	0	0	5																
7:30	7:45	5	133	3	4	11	9	14	48	1	2	17	5	252	1	0	0	1	0	0	0	0	1	0	0	0	0	0	0	
Truck Count		0	1	1	1	0	0	0	2	1	0	0	0	6																
7:45	8:00	8	143	4	5	10	10	18	55	0	2	13	7	275	0	0	1	5	0	2	0	0	0	0	1	0	0	0	0	
Truck Count		0	2	0	0	0	0	0	0	0	1	0	0	3																
8:00	8:15	6	176	5	6	9	8	22	61	1	1	17	14	326	1	7	0	1	0	0	0	0	0	0	0	0	0	0	0	
Truck Count		0	3	1	0	0	1	0	2	0	0	0	0	7																
8:15	8:30	12	133	3	9	8	8	15	49	4	6	23	11	281	0	0	0	3	0	2	0	0	0	1	0	0	0	0	0	
Truck Count		0	2	0	1	0	0	0	1	0	0	1	0	5																
8:30	8:45	12	143	2	9	2	8	13	39	3	1	12	8	252	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	
Truck Count		0	3	0	0	0	0	1	2	0	0	0	1	7																
8:45	9:00	7	122	3	5	5	15	18	46	1	1	12	7	242	1	0	3	0	0	3	0	0	0	1	0	0	0	0	0	
Truck Count		0	3	0	1	0	1	1	6	0	1	0	0	13																
9:00	9:15	3	96	2	3	8	9	7	34	1	0	17	4	184	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	
Truck Count		0	2	1	0	0	1	0	2	0	1	0	0	7																
9:15	9:30	7	69	0	8	9	6	12	31	2	3	14	5	166	1	0	0	0	0	0	0	0	0	0	2	0	0	0	0	
Truck Count		2	3	1	0	0	0	1	2	0	0	0	0	9																
9:30	9:45	4	69	2	4	4	7	10	36	1	1	9	1	148	1	0	5	2	0	0	0	0	0	0	0	0	0	0	0	
Truck Count		0	3	0	0	0	0	1	4	0	0	0	0	8																
9:45	10:00	12	84	2	5	2	7	14	39	1	0	11	3	160	0	0	1	0	0	1	1	0	0	0	1	0	0	0	0	
Truck Count		0	5	1	0	0	0	0	4	1	0	0	0	11																
10:00	10:15	4	46	2	8	7	12	18	35	1	4	10	3	150	2	0	0	0	0	1	0	0	0	0	0	0	0	0	0	
Truck Count		0	0	0	0	0	0	0	3	1	0	0	1	5																
10:15	10:30	3	113	3	6	10	7	11	49	2	1	5	4	214	1	0	0	1	0	1	0	0	0	0	1	0	0	0	0	
Truck Count		0	3	0	0	0	0	0	1	1	0	0	0	5																

10:30	10:45		40	5	4	7	10	11	44	0	2	6	0	136	2	1	11	2	0	0	0	0	1	0	0	0	0		0
Truck Count	0	2	0	0	0	0	0	0	2	0	0	0	0	4															
10:45	11:00	6	52	7	4	10	12	8	54	0	1	7	3	164	0	0	2	3	0	0	0	0	0	0	0	0	0	0	0
Truck Count	0	1	0	0	0	0	2	2	0	1	0	0	0	6															
11:00	11:15	5	42	3	5	8	10	15	44	3	5	9	1	150	1	1	0	1	0	0	0	0	0	1	0	0	0	0	0
Truck Count	1	1	0	0	0	0	0	2	0	0	0	0	0	4															
11:15	11:30	5	46	3	9	8	9	8	44	2	1	5	4	144	2	0	1	1	0	1	0	0	0	0	1	0	0	0	0
Truck Count	1	4	0	0	0	0	0	1	0	0	0	0	0	6															
11:30	11:45	9	56	5	5	11	9	16	51	5	3	8	7	185	1	0	2	1	0	0	0	0	0	0	0	0	0	0	0
Truck Count	0	3	0	0	1	0	0	1	0	0	0	0	0	5															
11:45	12:00	4	61	5	7	6	9	11	49	2	3	5	4	166	1	2	2	0	0	1	0	0	0	0	0	0	0	0	0
Truck Count	0	1	0	0	0	0	0	0	0	0	0	0	0	1															
12:00	12:15	13	67	7	6	6	18	19	63	4	4	8	9	224	2	5	1	10	0	3	0	0	0	0	0	0	0	0	0
Truck Count	0	1	0	0	0	0	0	1	0	0	0	0	1	3															
12:15	12:30	4	62	4	6	7	10	12	47	2	4	4	5	167	0	2	3	4	0	1	0	0	0	0	0	0	0	1	0
Truck Count	1	0	0	0	0	0	0	0	0	0	0	0	0	1															
12:30	12:45	8	74	7	14	12	12	6	56	0	4	3	6	202	0	4	4	4	0	0	0	0	0	0	0	0	0	0	0
Truck Count	0	2	1	0	0	0	0	0	1	0	0	0	0	4															
12:45	1:00	7	56	6	9	14	9	11	57	1	1	5	6	182	0	7	2	2	0	1	0	0	0	0	0	2	0	0	0
Truck Count	0	0	0	0	0	0	0	0	1	0	1	0	0	2															
1:00	1:15	10	62	5	12	11	15	14	62	3	0	3	4	201	0	2	2	4	0	1	0	0	0	0	2	0	0	0	0
Truck Count	0	0	0	0	0	0	0	0	0	0	0	0	0	0															
1:15	1:30	4	59	5	13	7	11	19	51	2	3	9	3	186	2	9	3	14	0	0	0	1	0	0	0	0	0	0	0
Truck Count	1	1	0	0	0	0	0	0	0	0	0	0	0	2															
1:30	1:45	11	59	11	11	14	15	13	67	3	2	15	1	222	0	2	12	2	0	0	0	0	0	0	0	0	0	0	0
Truck Count	0	1	0	1	0	0	0	0	1	0	0	0	0	3															
1:45	2:00	1	55	4	6	5	12	22	57	1	2	7	4	176	0	2	3	3	0	0	0	0	1	0	0	0	0	0	0
Truck Count	0	3	0	0	0	0	0	0	1	0	2	0	0	6															
2:00	2:15	1	54	3	3	15	11	13	53	1	4	11	3	172	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0
Truck Count	0	0	0	0	0	0	0	0	2	0	0	0	0	2															
2:15	2:30	8	66	7	10	1	15	6	48	2	2	7	5	177	0	2	12	2	0	0	0	0	0	0	0	0	0	0	0
Truck Count	0	0	0	0	0	0	0	0	1	0	0	0	0	1															
2:30	2:45	13	58	7	9	6	11	13	79	3	4	10	8	221	0	1	2	1	0	0	0	1	0	0	0	1	0	0	0
Truck Count	0	1	0	0	0	0	0	0	3	0	0	0	0	4															
2:45	3:00	7	45	3	11	13	13	12	73	5	2	14	5	203	0	0	5	4	0	0	0	0	0	1	1	0	0	0	0
Truck Count	0	0	0	0	0	0	0	0	0	0	0	0	0	0															
3:00	3:15	14	66	11	7	17	15	15	88	1	2	12	10	258	0	0	2	1	0	0	0	0	0	1	1	0	0	0	0
Truck Count	1	0	0	0	0	0	0	0	0	0	0	0	0	1															
3:15	3:30	14	43	5	5	8	15	7	53	2	0	6	4	162	1	0	4	1	0	1	0	0	0	0	1	0	0	0	0
Truck Count	0	2	0	0	0	0	0	0	0	0	1	0	0	3															
3:30	3:45	16	57	4	12	7	10	15	76	3	1	7	1	209	0	0	1	1	0	1	0	0	0	0	0	0	0	2	0
Truck Count	1	0	0	0	0	0	0	0	1	0	0	0	0	2															
3:45	4:00	9	64	4	14	7	14	17	82	7	1	11	5	235	1	0	3	1	0	2	0	0	0	0	1	0	0	0	0
Truck Count	0	1	0	0	0	0	0	0	1	0	0	0	0	2															
4:00	4:15	6	59	4	17	11	12	21	80	3	2	8	3	226	1	0	3	3	0	1	0	0	0	0	2	0	0	0	0
Truck Count	0	2	0	0	0	0	0	0	0	0	0	0	0	2															
4:15	4:30	8	56	7	3	11	12	11	102	1	2	5	2	220	0	1	4	2	1	3	0	0	0	1	1	0	0	0	0
Truck Count	0	0	0	0	0	0	0	0	1	0	1	0	0	2															
4:30	4:45	11	46	8	9	15	10	27	131	4	2	6	3	272	0	0	5	5	0	0	0	0	0	0	3	0	1	0	0
Truck Count	0	0	0	0	0	0	0	0	1	0	0	0	0	1															
4:45	5:00	7	76	3	7	11	6	17	104	4	3	8	2	248	0	3	2	2	0	2	0	0	0	0	2	0	0	0	0
Truck Count	0	1	0	1	0	0	0	0	0	0	0	0	0	2															
5:00	5:15	9	74	6	6	14	8	21	111	6	1	11	3	270	0	0	1	4	0	3	0	0	0	0	1	0	0	0	0
Truck Count	0	0	0	0	0	0	0	0	1	0	0	0	0	1															
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Truck Count	0	0	0	0	0	0	0	0	0	0	0	0	0	0															
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Truck Count	1	1	0	0	0	0	0	0	0	0	0	0	0	2															
5:45	6:00	7	58	4	8	9	5	9	50	8	2	6	3	169	0	2	1	1	0	0	0	0	0	0	3	0	0	0	1
Truck Count	0	0	0	0	0	0	0	0	0	0	0	0	0	0															

COLLISION DIAGRAM

SHEET 1 OF 2

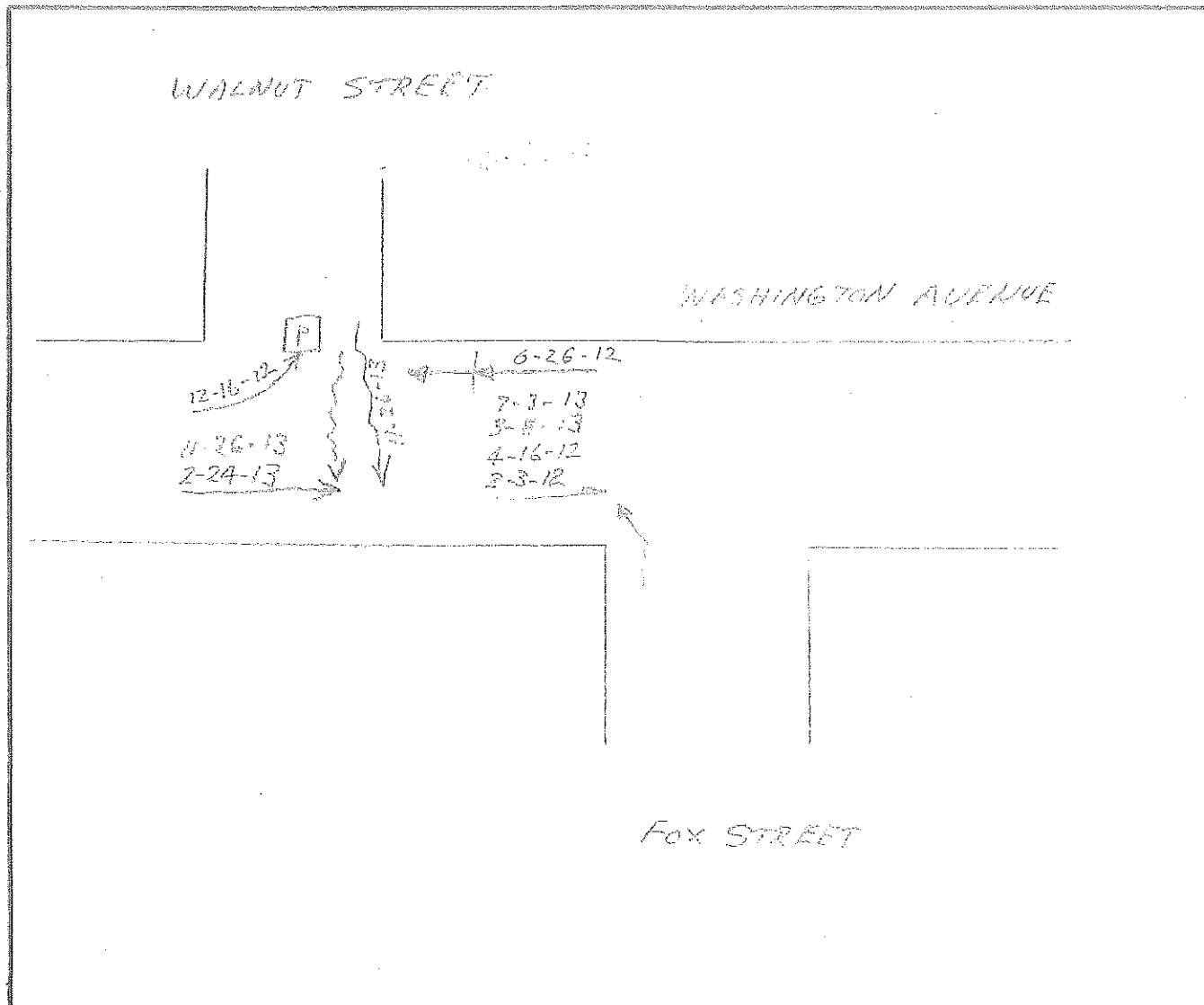
LOCATION WASHINGTON AVE / WALNUT ST. / FOX ST.

TOWN PORTLAND

NODE NO(S) P18879

YEARS REVIEWED 2011-2014

DATE PREPARED 8-23-2014



CRITICAL RATE FACTOR _____ EQUIV. PROP. DAMAGE ACC/YEAR _____ ACC/MEV _____

LIGHT

- | | | |
|-------------------------|-------------------------|--------------------------|
| 1. DAWN (MORNING) | 2. DAYLIGHT | 3. DUSK (EVENING) |
| 4. DARK (ST. LIGHTS ON) | 5. DARK (NO ST. LIGHTS) | 6. DARK (ST. LIGHTS OFF) |
| 7. OTHER | | |

ROAD SURFACE

- | | | |
|---------------------------|--------------------------|-----------------------------|
| 1. DRY | 2. WET | 3. SNOW/SLUSH-SANDED |
| 4. ICE/PACKED SNOW-SANDED | 5. MUDDY | 6. DEBRIS |
| 7. OILY | 8. SNOW/SLUSH-NOT SANDED | 9. ICE-PKD. SNOW-NOT SANDED |
| 10. OTHER | | |

APPARENT CONTRIBUTING FACTORS - HUMAN

- | | | |
|--------------------------------------|-------------------------------------|-----------------------------|
| 1. NO IMPROPER ACTION | 2. FAIL TO YLD. RIGHT OF WAY | 3. ILLEGAL UNSAFE SPEED |
| 4. FOLLOW TOO CLOSE | 5. DISREGARD TRAFFIC CONTROL DEVICE | 6. IMPROPER PASS-OVERTAKING |
| 7. DRIVING LEFT OF CENTER-NO PASSING | 8. IMP. UNSAFE LANE CHANGE | 9. IMP. PARKING START/STOP |
| 10. UNSAFE BACKING | 11. NO SIGNAL OR IMP. SIGNAL | 12. IMPROPER TURN |
| 13. DRIVER INATTENTION-DISTRACTION | 14. PEDEST. VIOLATION ERROR | 15. PHYSICAL IMPAIRMENT |
| 16. WINDSHIELD GLASS | 17. VISION OBSCURED-SUN/HEADLIGHTS | 18. VISION OBSCURED- |
| 19. OTHER VISION OBSCUREMENT | 20. OTHER HUMAN VIOLATION FACTOR | 21. UNKNOWN |
| 22. HIT AND RUN | | |

VEHICULAR

- | | | |
|------------------------------------|----------------------------|--------------------------|
| 41. DEFECTIVE BRAKES | 42. DEFECTIVE TIRE/FAILURE | 43. DEFECTIVE LIGHTS |
| 44. DEFECTIVE SUSPENSION OR FACTOR | 45. DEFECTIVE STEERING | 46. OTHER VEHICLE DEFECT |
| | 47. UNKNOWN | |

SYMBOLS

- | | | |
|----------------|----------------|------------------|
| ANGLE | PEDESTRIAN | FATAL ACCIDENT |
| BACKING | REAR END | VEHICLE (MOVING) |
| FIXED OBJECT | SIDE SWIPE | BICYCLE |
| HEAD ON | TURNING MOVE | ANIMAL |
| OVERTURN | CHANGE LANE | SLED |
| PARKED VEHICLE | OUT OF CONTROL | |

C = CLEAR
SL = SLEET

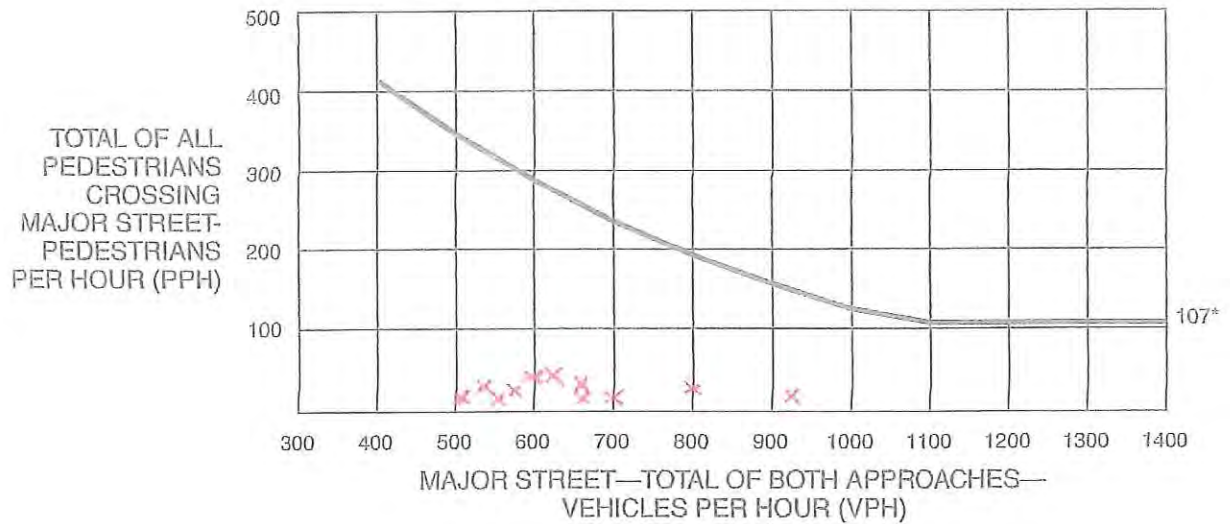
WEATHER

F = FOG
S = SNOW
R = RAIN
CL = CLOUDY
XW = CROSS WINDS

INJURIES

K = FATAL
A = INCAPACITATING
B = NON-INCAPACITATING
C = POSSIBLE INJURY

Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume



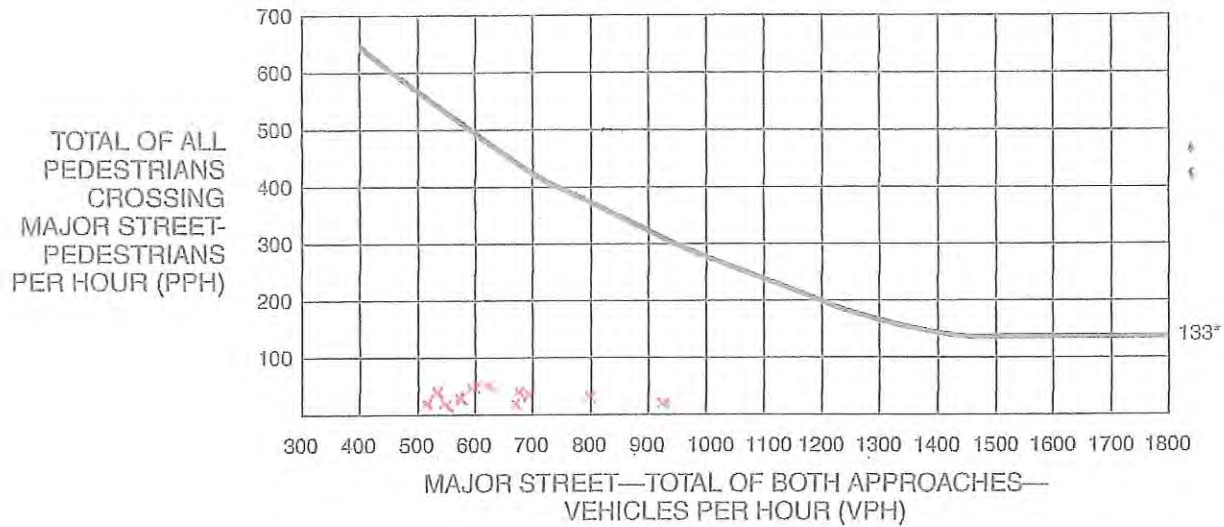
*Note: 107 pph applies as the lower threshold volume.

Figure 4C-6. Warrant 4, Pedestrian Four-Hour Volume (70% Factor)



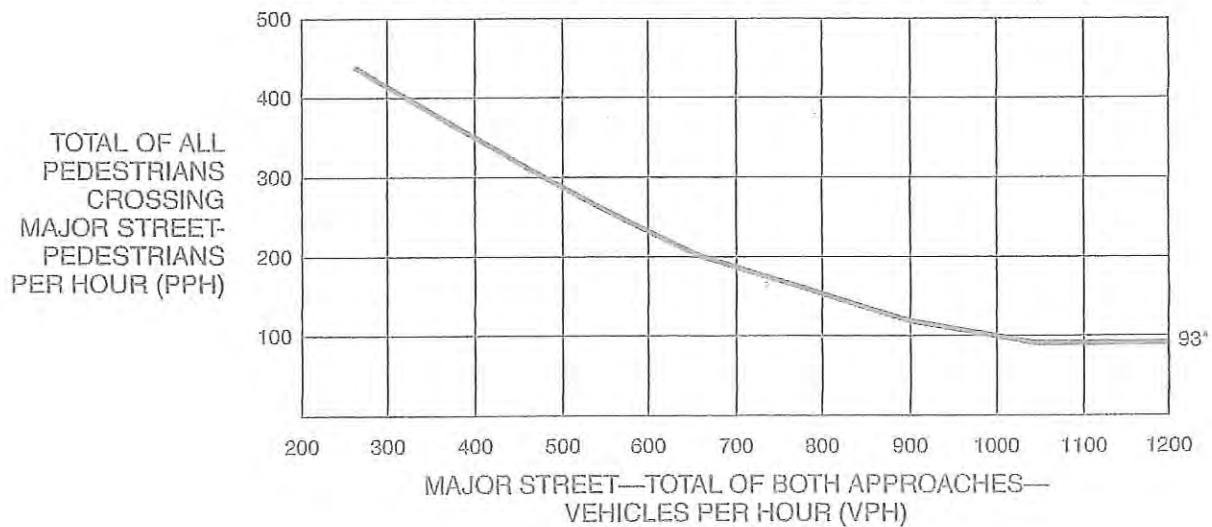
*Note: 75 pph applies as the lower threshold volume.

Figure 4C-7. Warrant 4, Pedestrian Peak Hour

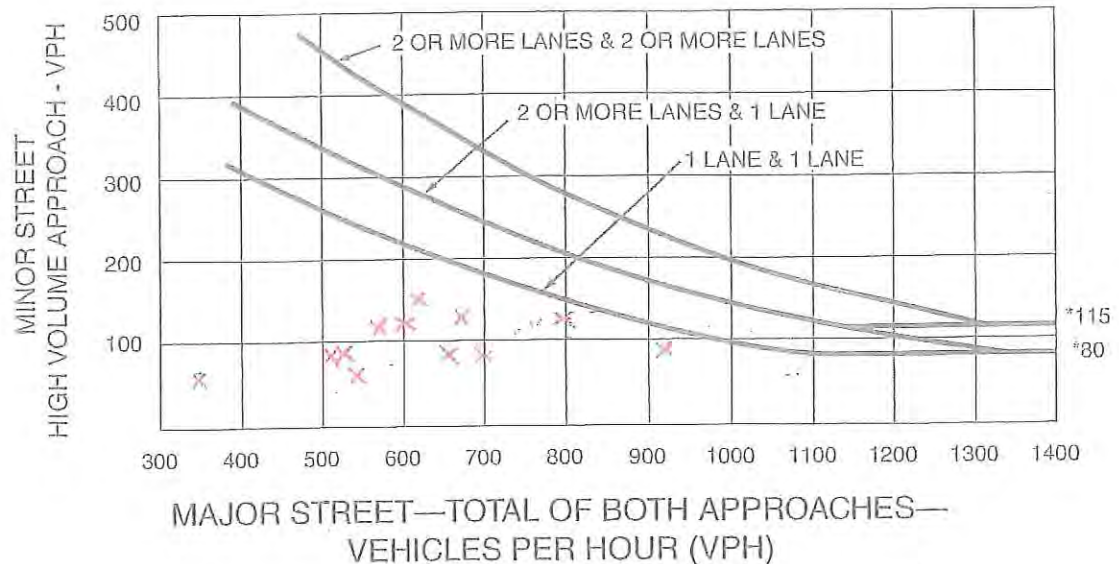


*Note: 133 pph applies as the lower threshold volume.

Figure 4C-8. Warrant 4, Pedestrian Peak Hour (70% Factor)

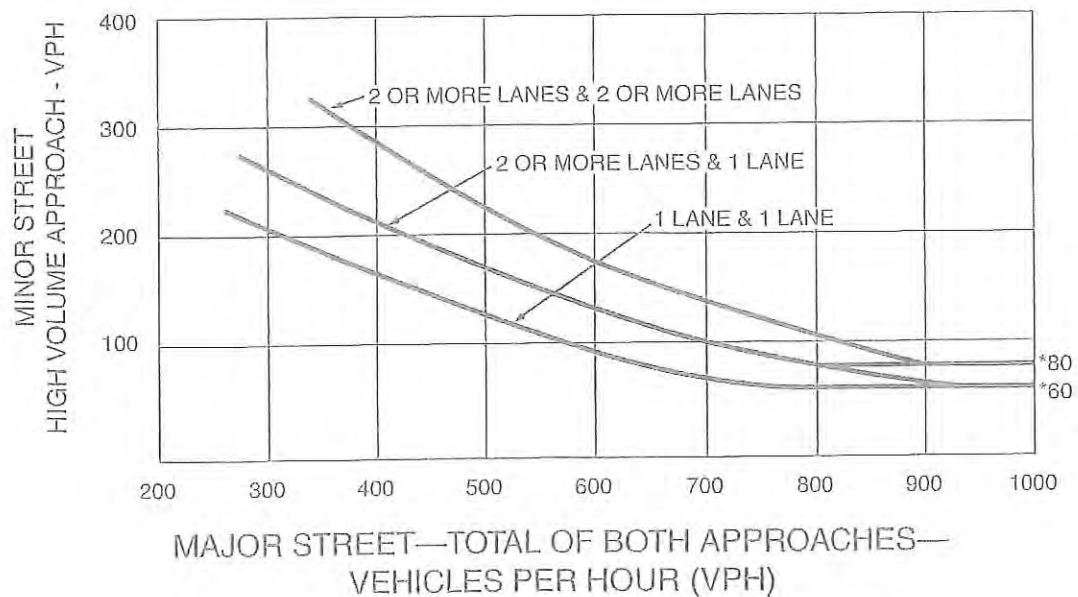


*Note: 93 pph applies as the lower threshold volume.

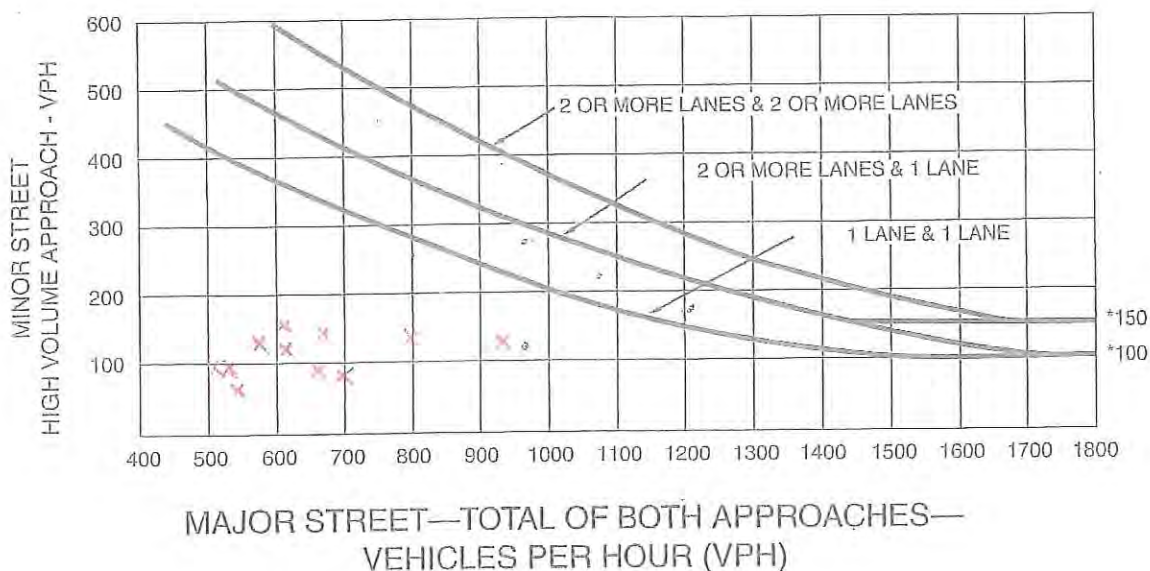
Figure 4C-1. Warrant 2, Four-Hour Vehicular Volume

*Note: 115 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 80 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-2. Warrant 2, Four-Hour Vehicular Volume (70% Factor)
 (COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 70 km/h (40 mph) ON MAJOR STREET)



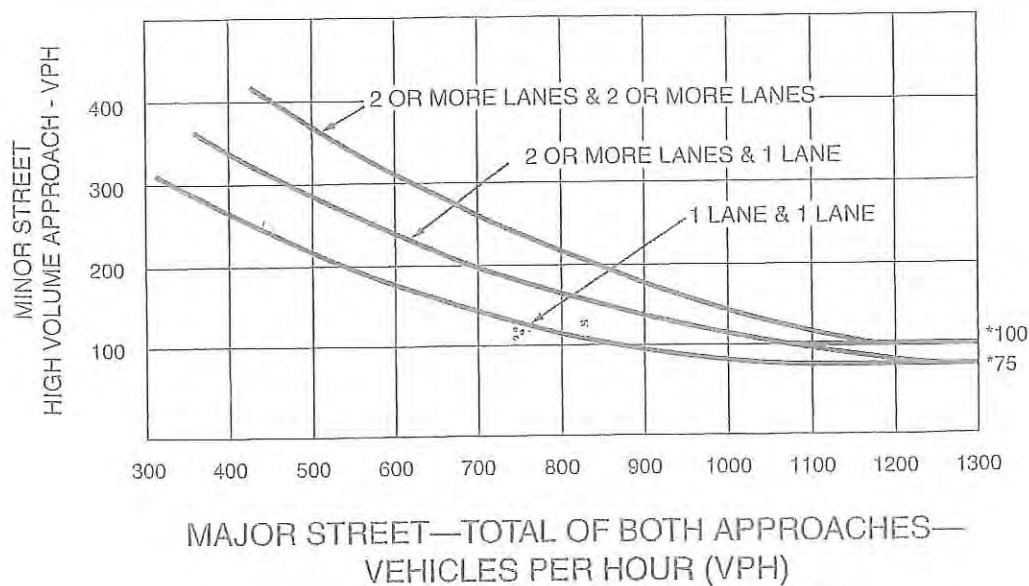
*Note: 80 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 60 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-3. Warrant 3, Peak Hour

*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

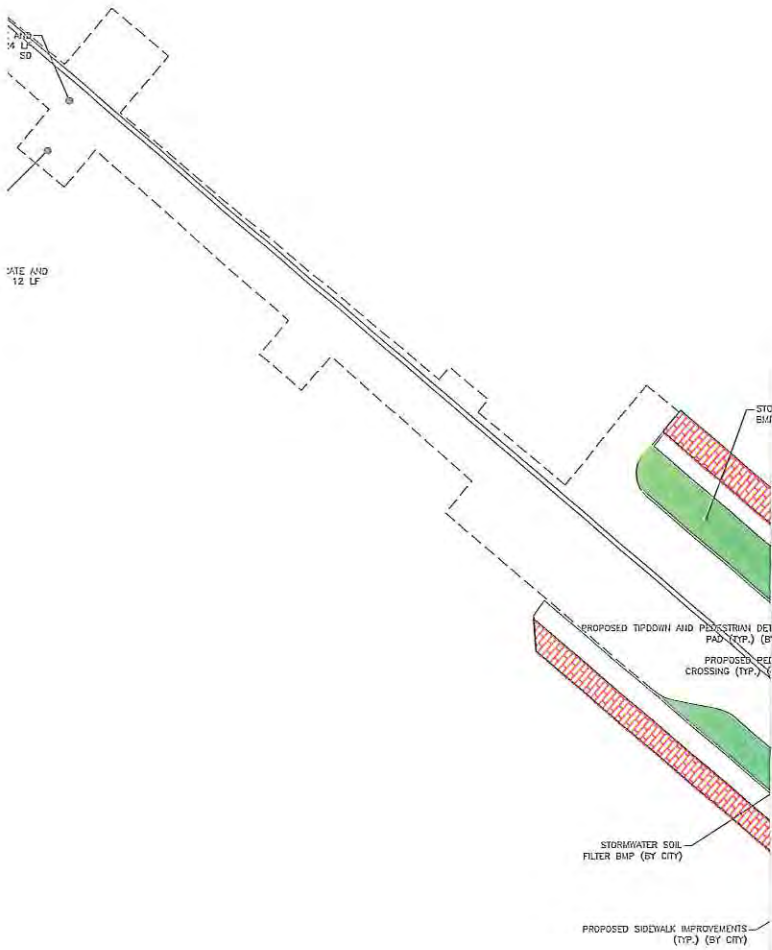
Figure 4C-4. Warrant 3, Peak Hour (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 70 km/h (40 mph) ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

CONCEPT



ISSUED FOR	BY
	DATE
PB HEARING	WHS
	10/22/12
REVISION	REV.
	DATE

INTERSECTION IMPROVEMENTS PLAN

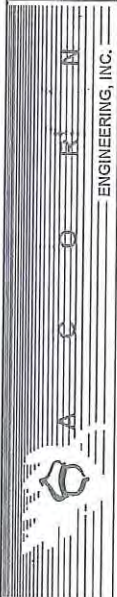
EAST BAYSIDE LOFTS

REDFERN PROPERTIES, LLC.
P.O. BOX 8816 PORTLAND, ME 04104

DRAWING NAME:

PROJECT NAME:

CLIENT:



THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACCORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACCORN ENGINEERING, INC.

ACORN ENGINEERING, INC.
155 DANFORTH STREET, PORTLAND MAINE 04102
(207) 775-2655

FILE: 1053_CIVIL_10-24-14

DATE: 10-28-2014

JN:	1053
-----	------

SCALE: 1:20

DESIGNED BY: WHS

DRAWN BY: MAG

CHECKED BY: WHS

DRAWING NO.

Jennifer Yeaton - Concerns about the Proposed Zoning Change for 89 Anderson Street

From: Ellen Bailey <cfbailey66@gmail.com>
 To: <hcd@portlandmaine.gov>
 Date: 7/17/2014 5:51 PM
 Subject: Concerns about the Proposed Zoning Change for 89 Anderson Street

July 17, 2014

To Nell Donaldson (City Planner),

Thank you so much for your willingness to hear residents' concerns about the proposal submitted by Jonathan Culley of Redfern to rezone the property at 89 Anderson Street from an R-6 (residential) to a B-2b (community business) zone. I have a few concerns about this change that I will share and will reference a few city documents along with my concerns.

My first concern is the increase in traffic that will result at the corner of Fox and Anderson by putting in retail at that intersection. The intersection of Fox and Anderson is already a very difficult to negotiate and adding retail along with potentially 53+ new residents is going to cause a dangerous situation to become even more dangerous. This area is widely used by pedestrians, cyclists, and joggers. Because many people use this intersection, it becomes confusing and undermines everyone's safety. I am particularly concerned that adding a retail space to this intersection (like a restaurant) will just create an even more difficult, confusing and dangerous situations for drivers, pedestrians and residents.

There are also many children living near this location and I am concerned for their safety in particular, as they play in the vicinity and on occasion run out in to the street after a stray ball. This location is also a school bus stop where many children get on and off the bus. Adding a retail space here is going to increase the potential for accidents involving the children who live in the nearby buildings.

In addition, I am alarmed that the entrance and exit to this mixed use development is going to be located on Fox Street (according to the current plans). Fox Street is being used by an increasing number of cars and trucks every day and the intersection of Fox and Anderson is a particularly difficult one to navigate. Adding 53+ residents to Fox Street, who will most likely all own at least one car, is going to be yet another influx of traffic concerns, especially since residents will be trying to turn into and out of their apartment complex via Fox Street. When cars currently enter or exit the Three GGGs garage it creates quite a bit of confusion and undermines the safety of all who are trying to negotiate the intersection. I am of the opinion that the traffic in and out of a 53-unit building that also houses retail (such as a restaurant) is going to be higher than the current Three GGGs traffic, thus making that intersection even more active, more confusing and more dangerous.

My concerns here echo the concerns outlined in *Sustainable Portland: Final Report of the Mayor's Sustainable Portland Taskforce*. The taskforce outlined several challenges to the sustainability of

communities in Portland. Their number one concern was traffic. They state, "Portland has a deserved reputation for a high quality of life, but sustaining this quality requires constant vigilance given the numerous challenges facing our community. The Sustainable Portland Task Force highlighted several of these challenges: 1. Traffic – Existing neighborhood traffic conditions with high traffic volumes and excessive speeding on neighborhood streets result in excessive energy consumption and undermine neighborhood livability and 'sense of place'." (p. 26)

I am concerned that Fox Street traffic is already undermining the livability in East Bayside and adding retail spaces, along with a large number of new residents on Fox Street is going to make a bad traffic situation even worse. For this reason, I don't think 89 Anderson Street should be considered for any type of business zone, nor do I think the zoning should allow for such high residential density. This corner is too dangerous for this type of influx. I am of the opinion that this intersection should remain an R-6 zone for reasons of safety for all residents, drivers and pedestrians.

I have other concerns that are more related to a Site Level Review, but I would still like to mention them here as I believe they relate to the zoning change request. I am very concerned about the lack of affordable housing in Portland and based on the initial figures given for the cost of renting one of the apartments at this new development, I am quite sure the working people of Portland will not be able to live in this building. The rates I have heard are \$1,000 dollars per month for the cheapest apartments, the studios. The one and two-bedroom apartments will be even more expensive. This type of expensive housing is not in keeping with the current situation in East Bayside. We are largely what is called "working class" and need affordable "workforce housing" in our neighborhood. This also echoes goals outlined in the *Sustainable Portland* report. One of the benchmarks under the recommendations for maintaining and growing the economy of Portland is "availability and affordability of 'workforce housing'." (p. 22) East Bayside has long been an area where the workforce of Portland can afford to live. This building does not follow that desired goal, a goal which the city of Portland has set.

This difference in income needed to live in the proposed development also is in direct conflict with the section entitled *Sustainable Portland: The Community*. The second paragraph of a section entitled "Landlords, Tenants, and Developers as Partners in Sustainability states, "The City also needs to ensure that there are adequate opportunities for the sustainable development of new housing and business spaces that support transit use and walkability while promoting and preserving neighborhood viability and integrity." (p. 25)

This project fails in two of the objectives in that sentence. First, it will actually undermine walkability because it will increase the danger for pedestrians due to an increase in traffic. Secondly, this building and any sort of zoning change away from R-6 will undermine the integrity of the neighborhood. The rest of the neighborhood is R-6. Maintaining the integrity of the neighborhood means maintaining the R-6, family friendly zone.

Some have tried to make the argument to me that since there is an industrial zone across Fox Street, then this does not actually undermine the integrity of the neighborhood. I strongly disagree with this on two counts. One, retail and industrial zones are quite different. I am of the opinion that the B-2b retail zones should stay up on Washington Avenue, not leak down Fox Street. Equating industrial zoning to the type of retail zoning on Washington is not accurate. They are very different and create quite different traffic patterns. Second, it does not matter what is on the other side of Fox Street. The rest of the Fox –

Anderson- Everatt neighborhood is R-6, is designed for family dwellings and is dedicated to the working class of Portland. In order to maintain the integrity of that block, I am of the opinion that the zone should be consistent and that zone is R-6.

I would like to close by emphasizing that in the *Sustainable Portland* document, one of the main goals is to attract families to Portland. This quote comes from the section entitled "*Challenges to a Sustainable Community*". They state one of the challenges as being the perception of urban density and clarify with this statement: "If the city of Portland is to achieve a density that competes with sprawling suburbs and provides viable transit alternatives to single occupancy vehicles, the City must promote and protect the image and reality of urban living that attracts a wide range of current and future residents – especially families with children." (p. 27)

This project being proposed by Jonathan Culley of Redfern is the absolute opposite of what is stated in this document. His proposed development is certainly not inviting to families with children. In fact, such small residences really discourage families from moving to Portland. The goal of being family friendly further strengthens my view that East Bayside should remain R-6. East Bayside is a great area for families and we need to build dwellings for them, not tiny, little studio apartments in a B-2b or R-7 that are barely large enough for even two people.

Thank you for reading and considering my concerns on this zoning change.

To be very clear, I am not in favor of a B-2b zone at 89 Anderson Street. I am in favor of maintaining the current zone and that is an R-6 zone.

Sincerely,

Ellen Bailey (resident of Hammond Street, which is in East Bayside)

--

Ellen Bailey

From: Chris Bruni <Chris@portlandpottery.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
Date: 7/18/2014 4:18 PM
Subject: Everett Street Project

I own a garage across the street from the projected Redfern Project. I don't see a downside to the housing they are undertaking. A huge risk and investment in an up to recently ignored section of town, cannot be a bad thing. I wish them luck, and support. If you have any questions you can reach me at this email or my cell 232-0845

Chris Bruni
32 Everett Street

From: Jed Harris <jedtharris@gmail.com>
To: <hcd@portlandmaine.gov>
Date: 7/18/2014 12:38 PM
Subject: Redfern 89 Anderson

Neil,

This keeps getting bounced back from my work email so I'm resending it from my personal email.

I'm writing in support of Redfern's proposed project and zone change at 89 Anderson Street in Portland. I was unable to make the community meeting the other night and I'm away for the workshop next week. My firm, Cotton Street Holdings, owns the former Nissen Bakery building at 75 Washington Ave along with the parking lot and State of Maine office building at 107 Washington, both located just up Fox Street from the proposed project. I think Redfern's project would be very beneficial to the East Bayside neighborhood and start to make a dent in the shortage of peninsula housing. In addition,

I think it would be very positive for E. Bayside to have new market rate housing to balance several of the more recent subsidized projects that have occurred in the neighborhood. Please feel free to contact me if you have any additional questions.

Regards,
Jed Harris

Managing Partner
80 Exchange Street, Suite 30
Portland, ME 04101
(207) 653-8262 (c)
(207) 747-4577 (o)

From: Karen Snyder <karsny@yahoo.com>
 To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
 Date: 7/18/2014 11:44 AM
 Subject: Fw: Notice - 89 Anderson St. Neighborhood Mtg.

Hi Neil,

Thank you for attending the 89 Anderson Meeting this past Wednesday, July 16, regarding Jonathan Culley's development proposal for 3G's property if the zoning is moved from an R6 to an R7.

As you witnessed in your attendance of the meeting, there were over 15 concerned local residents that voiced their disapproval of Jonathan's development. As a typical developer, Jonathan thought his opinion and unfounded statements were correct and the local residents were wrong in his push in trying to convince the local East Bay residents that his 89 Anderson development proposal is a good thing for the neighborhood. The local residents all know that the only thing Jonathan cares about is his profit margin and not truly concerned about how it affects the local residents and affordability since he doesn't live in the city of Portland but actually a suburb.

I am re-iterating mine and the other local East Bay residents concerns below with this development.

1) The proposed "market rate" rates are several hundred dollars higher than current market rates for studios. For example, on the East End, the market rate for a studio ranges from \$500 to \$650. Jonathan is proposing \$1,000/month for a studio. This means other residences will now "justify" upping their rents since this development has. Rents will NOT go down. They never do.

* I know this for a fact because I am also a property owner and I could raise my tenant's rent by several hundred dollars / month but I won't. Why? I want working class people to LIVE in this city and not only the subsidized or entitled rich people from away.

2) Who are going to afford these "market rates" apartments? It is definitely not the like minded hard working middle class local residents that live in East Bay but entitled rich kids from away which will change the dynamic of the neighborhood from a family environment to somewhat a party hard environment.

3) The current design of having the garage entrance of 53 parking spots entering off of Fox Street is ridiculous and will create an extreme traffic hazard and congestion more than it all ready does and especially during the winter.

4) Where is the overflow parking for the additional resident cars of these apartment residents suppose to park, besides parking for the restaurant?

5) Jonathan claims that his project will create urban in-fill and keep people from living in the suburbs. But yet, Jonathan doesn't really practice what he preaches because he lives in the suburbs of Falmouth so doesn't his claim ring false to you?

6) Jonathan claims that his project are environmentally friendly by just having a high R value on the roof and walls of around 32. But don't you think he has proven that this is a false claim since his 79 Walnut project clear cut the last remaining forested area of Munjoy hill to put 12 High end \$800,000 condos and gutted the side of Munjoy Hill? Putting solar panels, green roof, and creating green spaces is environmentally friendly.. not clearing cutting and put high R value rated condos/apartments. Therefore, this claim by Jonathan rings false.

7) Jonathan through out a number for the green space of his development is 12% but yet the entire plan from what I see is building or parking garage so how can there be 12% green space on this looming 4 story development?

8) The lack of open space. This development will be again "bending" the current city ordinances when it comes to building height, traffic regulations, and green space within this development.

Ultimately, how many local residents does it take that actually live in Portland that start protesting these developments from the get go will the City council members and planning board members starting taking notice that local residents are GREATLY displeased with the stance the city takes in being pro-development. The current impression is that the City is NOT respecting and protecting the hard working local residents that have been in this city for a long time and want their city to remain liveable? The city should be concerned in protection the survival of the local hard working residents that are NOT subsidized or NOT rich. The middle class is dying and they should be helped and protected.

Does the smell of out of state development money continue to trump the needs and desires of the current hard working local Portland city residents who actually make this city what it is or will the city make Portland another soulless center as Manhattan and San Francisco where working middle class can not live and enjoy the city they work in?

Additionally, I would hope you and the other City council and planning members take this into consideration in future developments and if anything put a moratorium (a stop) on building permits. A moratorium on building permits has happened before in city of Portland in the 70's and it should again be considered.

Regards,

Karen Snyder
 Munjoy Hill Property Owner

On Monday, June 30, 2014 1:27 PM, Jennifer Yeaton <JMY@portlandmaine.gov> wrote:

July 1, 2013

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a new development at the corner of Fox and Anderson Streets (89 Anderson). The project consists of two commercial spaces on the ground floor and residential rental apartments on Floors 2-4. This meeting pertains to our

Application for a Zoning Map Amendment. Should our project go forward, there will be additional meetings in the future that will pertain to a Site Plan review.

Meeting Location: Redfern Office, 178 Washington Ave, Portland
Meeting Date: Wednesday, July 16th
Meeting Time: 6:00 pm

The City Code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please contact me at 207-221-5746 or jonathan@redfernproperties.com. I hope to see you at the meeting.
Sincerely,

Jonathan Culley

Jonathan Culley
Redfern Properties LLC
Cell: 207-776-9715
Office: 207-221-5746
Fax: 207-221-2822
jonathan@redfernproperties.com
www.redfernproperties.com
www.redfernhomes.com
www.munjoyheights.com

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.

--

From: Karen Snyder <karsny@yahoo.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
Date: 7/21/2014 11:17 AM
Subject: Re: Notice - 89 Anderson St. Neighborhood Mtg.

Hi Neil,

Per our discussion this morning, please add the below additional concerns regarding the 89 Anderson development when below points illustrate how this development actually goes against certain sections within the long term Portland comprehensive plan. There are 3 major points below that the City of Portland, ME really need to evaluate in regards to how this specific proposal does not represent or adheres to the Portland comprehensive plan:

Point 1: Portland Comprehensive Plan: Page 11 - A Community Vision for Portland, Future Directions of Portland

Section 1: Build a Vibrant City; Build upon the distinctive fabric of Portland's built environment by rehabilitating historic resources and by developing new buildings that respect scale and character of traditional development patterns.

Concern: The 89 Anderson development is proposing putting a 4 story 53 apartment building where the entire lot is built upon with basically no setbacks besides this proposal being the only B2B 4 -tory commercial/apartment building in East Bay amongst single family home neighborhood. This proposal does not meet the Comprehensive plan which is to build new building that respect scale and character of traditional development patterns.

Point 2: Portland Comprehensive Plan: Page 11 - A Community Vision for Portland, Future Directions of Portland

Section 2: Serve the People; Support and encourage the creation and preservation of an adequate supply of quality housing for all.

Concern: How is Portland city government protecting the middle class, blue collar, and hard working nurses, teachers, restaurant workers of Portland within the long range comprehensive plan? If all current housing projects are either for subsidized housing or for the wealthy people who will only live part-time in these high-end apartments or condos. How does this respect and preserve the middle class who are getting pushed out of Portland due to higher rents and that can't afford the high end condos? A vibrant city is where middle class families and people live full time and not subsidized people or wealthy people who live a couple months out of the year. What is Portland planning handling this middle class crises? The only time I believe the city helped the middle class was in 1999 where on Munjoy Hill, property owners who lived on their property got certain incentives to live there and do renovations.

Point 3: Portland Comprehensive Plan: Page 11 - A Community Vision for Portland, Future Directions of Portland

Section 3: Provide High Quality Leadership; Create a sustainable community with vital neighborhoods, high quality infrastructure, a strong economy, healthy environment, while keeping municipal taxes affordable.

Concern: What is the definition of a vital neighborhood to the Portland city government? Is it where families live and build a community? How can 53 high end apartments in a 4 story commercial building suppose to achieve a strong community network if these residents do not own and there are constant influx of restaurant traffic? A neighborhood is where people want to go and decompress from work. Not have to fight traffic and hear restaurant noise. Additionally, how are municipal taxes suppose to remain affordable for the middle class if high end condos and high end apartments are being built within the city? How do all these concerns actually adhere to the long range comprehensive plan? Again, the middle class is being not represented in the Portland, ME comprehensive plan very effectively which these people are the heart and soul to a vital neighborhood.

The weblink to the above Portland Maine comprehensive plan that is referred to is below:

<http://www.portlandmaine.gov/DocumentCenter/Home/View/2959>

Thanks for your support.

Regards,
Karen Snyder
Munjoy Hill Property Owner

From: "Cynthia L. Cochran" <ccochran@maine.rr.com>
 To: Helen Donaldson <hcd@portlandmaine.gov>
 Date: 7/20/2014 10:18 PM
 Subject: Concerns re Redfern's rezoning request for 89 Anderson Street

July 20, 2014

To Nell Donaldson (City Planner),

Thank you for the opportunity to submit comment on Redfern's rezoning request for 89 Anderson Street.

First, I want to express disappointment about the neighborhood meeting notes that you prepared and submitted with other documents for the planning board's review for this project. I attended that meeting and can attest to the omission of some important aspects of the discussions. I will address two points of discussion that were either omitted or extensively abbreviated in these notes.

This proposal makes many substantive references to the _Portland, ME SDAT -- Creating a Sustainable Vision for Maine's Most Diverse Neighborhood_. At the neighborhood meeting, in response to my questions about this, Nell Donaldson stated that the City of Portland has not officially adopted this study, or any aspect of it. We discussed that the City has not adopted any plan at all, specific to the East Bayside Neighborhood. This discussion was not mentioned at all in the notes for the planning board.

The discussion about traffic and safety impacts of this proposed project, added to the impact of previously approved projects, was abbreviated and summarized with the statement, "An open discussion about traffic on Fox Street ensued."

More pointedly, I wish to express my opinion that the citation of a few, selected, out-of context, pages from the _SDAT_ study of the East Bayside Neighborhood in Redfern's proposal is misleading and disrespectful to the overall integrity of this study and to its specific recommendations for this location. The study identified this location as a "Place of Potential" for service to our neighborhood and to support community connections. Redfern's primary objective, to provide 53 market-rate, individual housing units, is actually in opposition to the intentions of the study's recommendations for this location.

Traffic :It seems that it is never quite the right time or venue to talk about the traffic and safety issues being created by the development recommendations of the City's planning staff and board members. The entire length of Fox Street, especially the corners at Walnut/Washington/Fox and Fox/Anderson are already safety concerns for drivers, pedestrians, and bicyclists. The board has already approved developments on Sheridan, Walnut, and Washington that will substantially increase traffic at these corners and on Fox Street. There is also a proposal to house 30 or so tractor trailers for the Nova Star at 122 Anderson Street. This proposal would route 60 or so daily trips of tractor trailers through the same Fox/Anderson Street intersection where the Redfern project seeks to locate an additional 53+ new residents. All of these individual projects claim to have little to no impact on traffic or parking for the neighborhood in their individual zoning or site plan applications. The traffic and safety implications of the accumulated impact of these projects seems to have no venue for public feedback, consideration and discussion.

Second, I wish to express my disappointment that the City planning staff is once again seeking to expand upon the original proposal from the developer in order to meet its own, internally developed objectives for development in the East Bayside Neighborhood. Jonathan Culley has stated that he was encouraged by the City planners to seek the B-2b zoning, and Section VI of the Staff Memorandum includes discussion of extending the B-2b zoning further up Fox Street to include the adjacent, multi-family, residential, R-6 lots on the eastern third of the block. This is the

second attempt, this year, by City planners to rezone significant portions of East Bayside in support of a vision for development that has not been communicated to residents of this neighborhood.

All of that being said, here are my specific concerns with the Redfern rezoning/project proposal:

Proposed Housing Units:

oNone for families with children.Same with Avesta's 134 Washington Avenue project (18 efficiencies only) which was previously approved.

oNone are affordable for Portland's working class

Traffic and Parking:

oWill add substantially to the already dangerous amount of traffic on Fox Street (in addition to the already approved projects on Walnut Street, Sheridan Street, and Washington Avenue).

oPlacing the entry/exit to the building's parking area on Fox Street, unnecessarily, and substantially, increases the impact of these additional drivers on this already congested and dangerous street.

oFox Street is not wide enough to accommodate parking on two sides and two-way traffic currently, without adding 53+ more cars to the traffic flow, on top of the increase from previously approved projects.

oThe intersection at Fox/Washington/Walnut is one crash away from being designated a High Crash Area.The "jag" between Walnut/Washington/Fox, the slopes of the two streets and the amount of traffic moving both north/south and east/west at this spot makes it very dangerous to navigate for vehicles, pedestrians, and bicyclists.

oIn winter, accumulated snow makes Fox Street even more narrow, congested, slippery, and dangerous.

oThe intersection at Fox/Anderson is also "jagged" and although the 4-way stop signs have helped here, the addition of a 4-story building wall that lines up with the sidewalk on Fox and Anderson will significantly block the view of drivers coming down Fox Street from Washington Avenue and impair their ability to see cars, pedestrians, and bicyclists coming to this corner from the south-side, residential areas via Anderson Street.

oA restaurant at this location will also add traffic and create more parked car obstruction on Fox Street.

Community/Neighborhood uses/Retail Spaces:

oThese spaces are not a meaningful contribution to our neighborhood.

oCommunity space: This 716 square feet space is 17 feet wide by 42 feet long.This is not sufficient for community gatherings.

o Restaurant: Why?To justify the B-2b zoning?To try to use a slice from the SDAT study report to create an appearance of community support?What other rationale could there be that we don't know about?

In summary, I do not support this proposal to rezone this or any other lots on Fox Street to B-2b.I am in favor of 39 Anderson Street and all other R-6 lots on Fox Street remaining R-6.

Thank you for your time and consideration of my comments.

Cynthia L. Cochran

17 Hammond Street



918 Forest Ave
Portland, ME
(207) 878-8800

Dear Mr Donaldson,

This letter is in regards to the requested zoning changes to 89 Anderson Street, Portland.

Joe Flynn of Flynn & Company Real Estate supports Jonathan Culley's proposed project at 89 Anderson St as we are neighbors owning an apartment building at 83 Anderson St and believe it is a wonderful concept to improve the neighborhood.

Thank you for your time.

Sincerely,

Joe Flynn

A handwritten signature in black ink, appearing to read "Joe Flynn", with a large, stylized loop at the end.

From: Jeremy benn <jbenn617@gmail.com>
To: <HCD@portlandmaine.gov>
Date: 7/23/2014 10:37 AM
Subject: Proposed zone change at 89 Anderson Street

Good Morning Mr Donaldson,

I just wanted to show my support for the proposed zone change at 89 Anderson Street by Mr Culley with Redfern. I own a handful of properties in the city and always hear the same complaint from prospective tenants, "It is so hard to get a rental in Portland". It is exciting to see new housing offered on the peninsula.

I am in favor of the zone change and overall project at 89 Anderson Street, it is good for the city and its residents.

Sincerely,

Jeremy Benn
807-9218

From: Ellen Bailey <efbailey66@gmail.com>
 To: Helen Donaldson <HCD@portlandmaine.gov>
 CC: Christine Grimando <CDG@portlandmaine.gov>
 Date: 8/18/2014 12:01 PM
 Subject: Re: Question about Sight Lines and How that Relates to Buildings and Parking in a B-1 Zone

Hi Nell,

Thank you for this message. I vaguely remembered that you are not in the office on Fridays, so no concerns and Christine did answer my initial questions. We did receive a notice from Jonathan that he is seeking B-1 zoning now and he is in the process of planning another neighborhood meeting. We haven't gotten a date for that meeting yet.

Mostly though, there are a number of us who live here in East Bayside who are becoming increasingly alarmed at what we are seeing, and experiencing on Fox Street. I was almost in an accident myself on Saturday (the 16th), pulling out of Hammond Street onto Fox because the cars parked on Fox blocked my view of those coming down the hill. The corners are confusing, visibility is poor already and there is a lot more traffic here. And we are looking at Nova Star conducting up to sixty tractor trailer trips through Fox/Anderson daily from May to November; looking at the Munjoy Heights development; at the Avesta development (134 Washington); the possible new townhouse development on 145-155 Washington; and then having 75 or so residents move in right on that corner (89 Anderson Street). What we would really like to see is Fox Street made safer BEFORE hundreds more people are using it. We would also like to have some assurance that someone is looking at these projects collectively rather than in isolation. We get the reply often that the city doesn't look at the big picture, that these concerns are only dealt with on a project-by-project basis.

I (and several of us who live here) am now getting a little clearer picture of some of the regulations that really need to be taken seriously on this corner, like the 200 feet of visibility (in a 25 mph zone) required by new streets and even driveways. So buildings certainly should not block a driver from seeing 200 feet down adjacent streets. That really means that no zoning change should be made that allows for building up to the street in that location. Building up to the street there is quite dangerous and the Maine DOT is verifying that.

There is another violation on that corner that I became aware of when reading the "Transportation Systems and Street Design Standards". The angle there does not meet the standards. Collector streets (which Fox Street should be changed to) are required to meet at 90 degree angles. Neighborhood streets should be meeting at an acute angle no less than 75 degrees and an obtuse angle no greater than 105 degrees. I measured the Fox/Anderson Street angle and got around a 55/125 degree angle there. So, the angle is 20 degrees away from what is considered safe on little neighborhood streets and 35 degrees away from what is considered safe on a collector. That is significant! So, I am seeing that our concerns are supported by the data.

If a building goes in that corner which limits sight view to less than 200 feet, then we will have two major violations of safety codes. The street angle and the sight view. Let's add the tractor trailer trucks; the pedestrians (including a lot of children); athletes and spectators using the fields and on street parking on Fox Street; business traffic for Rising Tide, Maine Crafts, etc.; tractor trailer trucks parking on Fox Street for days at a time; the through traffic; and a large number of new residents and we see (again, I am not alone here) some major congestion and accidents waiting to happen.

I am not against development. In fact, I really like the townhouse project I heard about for 145 Washington Avenue. It is only 17 units and there will be no problem with visibility there. It is a reasonable number of new residents, and there will be on-site parking, so there wouldn't be a huge impact on traffic. In contrast, this particular location at the Fox/Anderson Street intersection and the large number of people who will live in the proposed building directly on the intersection is a huge problem. We need to work on safety at this corner BEFORE we start bringing in a bunch of tractor trailer trucks and build a 53-unit apartment building, which translates to around 75 people living there. Of course, I don't really think it is an appropriate location to build such a large apartment complex or to have any zoning that is more permissive than what is already there (R-6). We want everyone to be safe and it's not even safe now.

I know we won't have a workshop for a bit, but this is about more than just the 89 Anderson Street project. Although this project will add significantly to the danger.

I really appreciate you reading this. I was wondering if you could pass this on to the appropriate people in Traffic. I am cc-ing Christine as well.

I was sad to hear there is not a committee working on Fox Street. I think there must have been some miscommunication somewhere along the line, because I was told that someone from Traffic said to a couple of our community members that a City Staff committee was working on Fox Street safety. People were told that Christine was coordinating it. I have tried to correct that misconception with a couple of people who told me about it. I think Fox Street needs some attention, so I was disappointed to find out there really isn't any committee looking at this street which already has six different zones on it (IL-B, B-5, R-OS, R-6, B-2b and a recent addition of R-7 for P11A).

Thank you for your time Nell (and Christine). I appreciate you keeping the residents "in the loop" about what is happening down here and paying attention to our increasing concern.

Ellen Bailey-resident of East Bayside

<<<On Mon, Aug 18, 2014 at 8:47 AM, Helen Donaldson HCD@portlandmaine.gov wrote:

Ellen,

I apologize that I wasn't in the office on Friday and so didn't respond. I trust that Christine's email addresses your questions, but if you have additional concerns, feel free to let me know.

We are waiting on more information from Jonathan before scheduling another planning board workshop. I will be sure to let you and others know as soon as that workshop date is set.

Best,
Nell

Nell Donaldson
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101
874-8723
hcd@portlandmaine.gov

<<<Christine Grimando 8/15/2014 4:34 PM >>>

Hi Ellen,

In answer to your first question, parking standards are addressed in Division 20 of the Land Use Code. It sounds like you already found that document, but just in case, it can be accessed here: <http://www.portlandmaine.gov/DocumentCenter/Home/View/1080>. I've also attached Division 20 as a pdf. New residential development > on-peninsula, in the B-1 zone, has a requirement of a minimum of one space per dwelling unit, unless the application demonstrates it meets criteria for altering that 1 per unit number. Non-residential uses have different parking requirements which are listed by use and square footage, generally.

In answer to your second, I will answer broadly that the sight distance standard you reference does indeed apply to new driveways and new streets. I will forward your comments about the building's impact on sight distances to the City's Traffic Engineer, so that he can incorporate your questions and concerns in his overall traffic review of the proposal at 89 Anderson Street. After the recent Planning Board workshop the applicant is having additional traffic analysis completed for the proposal, and it has not yet been submitted for review by the consulting traffic engineer. Like all other application materials, it will be available to the public for review.

Nell Donaldson, Planner, is reviewing the proposal for 89 Anderson Street, so I will defer to her any other specific questions you might have about that application, and I have cc'd her on this email.

I was recently sent an email message that referenced my being Chair of a Parking Staff Committee, and I assume this is likely the reason these questions were directed to me. I want to clarify that there is no such official group, and that I have no overarching role in regard to parking and traffic in the neighborhood. I did recently engage City staff in a preliminary discussion about potential improvements to the Washington/Fox/Walnut intersection due to development proposals I am reviewing. There is no formal proposal as of this time.

Best,
Christine

Christine Grimando, AICP
Senior Planner
Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101
cdg@portlandmaine.gov
Ph: (207) 874-8608

<<<Ellen Bailey <efbailey66@gmail.com> 8/14/2014 3:06 PM >>>

Hi Nell (and I was told Christine Grimando is also a person to send this to),

My name is Ellen Bailey and I am a resident of East Bayside. I have communicated with you before about Jonathan Culley's proposal to rezone 89 Anderson Street. He just recently sent out an e-mail letting us know that he is seeking B-1 zoning now.

I have been reading up on B-1 zoning, but am unclear about a couple of details. I was wondering if you could answer my questions and then let me know where I can find the information. I am looking for the correct document and the correct section.

1. My first question is about parking in a B-1 zone. It is not clear to me how many parking spaces must be provided for anyone. I was wondering if you could tell me how many on-site parking spaces are required for the residents and how many are required for whatever business is located on the first floor.

2. My second question relates to sight lines or what I have read in the "Transportation Systems and Street Design Standards" as Sight Distance. This document states, "Where driveways or new streets enter an existing street, vehicular sight-distance shall conform to standards established by the Maine DOT as contained in their publication, Chapter 299, Highway Driveway and Entrances Rules and noted below for entrances with standard vehicles." In the table referred to, it states that for a 25 mph speed limit, a sight-distance of 200 feet is required. My question is this: Do new buildings have to maintain this same guideline? Of course, it would make sense to me that they should, since the Maine DOT has determined the safest distances for sight distance, whether it be a new street, new driveway or new building. Specifically, I am very concerned that the building proposed at 89 Anderson Street will significantly limit drivers' sight-distances because the building will directly obstruct the driver's view. I pointed out the danger inherent in the Fox St./ Anderson St. intersection due to the angle at which the two streets meet in the last planning workshop for this proposal.

This is what I stated:

"Here is the situation: Anderson Street meets Fox Street at a fairly sharp angle on its north side and at a right angle on its south side. 89 Anderson Street is on the south side. Unfortunately, this means the four corners of this intersection are substantially out of alignment.

The lack of visibility will be most pronounced for people coming down Fox Street from Washington Avenue. To their right will be the angled part of the intersection and to their left, several feet beyond their stop sign will be the other part of Anderson Street. The fact that the left hand part of Anderson Street is several feet ahead of the stop sign is what creates the obstructed view. I actually measured the distance between the stop sign's location on Fox Street and the potential corner of the Redfern building. It is about 40 feet.

This lack of alignment means that if 45-50 walls are built flush with the sidewalk in that location, drivers coming down Fox from Washington will have a mostly obstructed view to their left. In fact, from what I have observed, only a portion of the first car will be visible. Nothing behind it will be visible, including pedestrians, cyclists and children. This lack of visibility will be even worse in the winter with the addition of snow banks."

If this building goes up as proposed, then drivers from the east side of Fox Street and the south side of Anderson will probably not even be able to see 30 feet down the adjoining street, let alone 200 feet. I am also concerned about allowing any zoning in there that allows the owner to build right up to the street because of this. I was wondering if you could clarify how far is required by law in terms of sight-distance and if it is legal for a building to obstruct the view of the driver sitting at the stop sign.

I am really trying to see the issues before they happen, as I use this intersection frequently, both as a driver and as a pedestrian.

Thank you for your help with these two questions Nell.

Sincerely,
Ellen Bailey (17 Hammond Street)

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. --

From: Kevin Donoghue <kjdonoghue@portlandmaine.gov>
 To: Toby Rzepka <tobyzezka@gmail.com>
 CC: Lamm Rosalee <nosasaurus@hotmail.com>, Tom Errico <thomas.errico@tylin.com>, Jeff Levine <JLEVINE@portlandmaine.gov>, Mike Bobinsky <mbobinsky@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, John Peverada <jbp@portlandmaine.gov>, Helen Donaldson <HCD@portlandmaine.gov>, Bruce Hyman <BHYMAN@portlandmaine.gov>, Sheila Christian <SHC@portlandmaine.gov>
 Date: 8/25/2014 10:47 PM
 Subject: Re: Housing development and traffic in East Bayside

Hi Toby,

Thanks for your reply. You're correct to observe that a well-developed street grid helps spread traffic regardless of whether there are one-way streets, but is especially necessary in those instances. You're also correct that it is not as wide as Congress on the Hill, but the experience of narrower striped lanes may offer some options short of removing parking residents depend on. Absent a climbing bike lane, a center line yielding a broad climbing lane and a narrow coasting lane may well help address these concerns. A peer-reviewed traffic study has been commissioned by Jonathan Culley here and I will ask that his contracted engineer, or at least peer reviews on staff, consider this.

Thanks,
 Kevin

On Thu, Aug 21, 2014 at 10:47 AM, Toby Rzepka <tobyzezka@gmail.com> wrote:

Dear Kevin,

This is Toby Rzepka, a resident of 13 Fox St. and husband of Rosalee Lamm, who emailed you a couple of days ago after the EBNO meeting--I could not attend because I was home with our 3-year old. We've been talking a lot with each other and with our neighbors about traffic issues and I wanted to join the conversation. I appreciated your thoughtful response to Rosalee's email and would like to express my concerns and hopes for the neighborhood.

I agree with the need for more housing on the peninsula, and have no objection to a higher density R6. But like Rosalee and many of our neighbors, I think the traffic situation needs to be sorted. While the intersection of Walnut/Washington/Fox is dangerous, I'm more concerned with the increased volume of traffic racing up Fox St. as much of the hill uses it as a connector to Franklin Art and 295. With both the Hill and East Bayside increasing in density, I believe there will be an eventual need to make Fox one-way. Obviously, this would require opening up other connectors, either by connecting Gould St. to Washington or connecting Marginal to Washington--but Fox St. is not wide enough to support the kind of traffic that will be using it after all the new (and future) developments go in. As the neighborhood increases in density, Fox St. will become congested and dangerous, not to mention frustrating for drivers, who often have to stop and pull over to allow oncoming vehicles to pass as it is. This street was clearly never meant for this kind of heavy traffic, especially considering the parking on both sides.

In the meantime, I love your idea about a yellow line and a bike lane--and we could even consider speed bumps, as people tend to tear down the street (especially motorcycles). But because cars often have to pull over to let each other pass, I'm not sure how there would be room for strict lanes plus a bike lane and two rows of parking. This illustrates the problem--the street's not big enough for what it is being asked to do and we need to spread the burden.

The other big issue potentially affecting Fox St. traffic is the Nova Star truck storage behind Bunker Brewing. I can't imagine how the feel of the neighborhood would change with a dozen large semis rolling through it daily. This neighborhood is currently a great place for families (and getting better!) and I'm worried that will change for the worse with more traffic and more industrial trucking. I realize that, as a brownfield site, the uses for the owner are limited, but surely the answer is not to further industrialize the street adjacent to the PHA complex where so many families with children live.

I am really excited for the Fox/Anderson intersection changes. If this could be combined with a ban on tractor trailer parking on lower Fox St., it has the potential to transform the area adjacent to the PHA housing complex from a gritty industrial-looking street to a lovely, park-side, pedestrian area. Though obviously the other side of Fox is de facto industrial, the businesses there are largely pedestrian/retail friendly as well (i.e. Coffee By Design, Rising Tide, Maine Craft Distilling, Tandem Coffee, etc.). If we can push toward the human scale and away from the industrial scale of lower Fox, we could draw more business, more tourism, and make East Bayside a better place to live.

To sum up: My vision for Fox St. is a densely populated, pedestrian-friendly street with sidewalks throughout and reduced traffic. This can be accomplished by:

1. Making Fox St. one way by connecting Gould St. or Marginal to Washington
2. Banning tractor trailer parking on lower Fox St.
3. Preventing the Nova Star trucking project from going forward
4. Installing sidewalks on lower Fox and Anderson

I hope you and others share my vision--with each meeting focusing on one specific issue, it's hard to lose site of the big picture.

All the best,

Toby Rzepka

From: Karen Snyder <karsny@yahoo.com>
 To: Helen Donaldson <hcd@portlandmaine.gov>
 Date: 9/10/2014 3:49 PM
 Subject: Re: Concerns for last July 22nd meeting and proposed map amendment, 89 Anderson Street

Hi Nell,

Firstly, the link you provided only got us to the front page of the Portland Planning web site. Were you trying to send us a link to Jonathon's last agenda? Secondly, Jonathon's traffic study which was scanned was partially cut off and not complete so one could not read it entirely.

I am sorry but I guess I am kind of confused by Jonathon's emails regarding latest traffic information for the intersection of Fox and Washington and his latest proposal of asking for zone B1B instead of B2B in a zone which is primarily zoned R6. It appears that Jonathon did not hear the concerns of the neighborhood residents as well as some of the planning board members concerns regarding the first planning meeting held on July 22, 2014.

Majority of the local residents that attended the July 22, 2014 meeting expressed their opinions and disagreed with Jonathon's proposal.

Point 1: Majority of the local residents in that neighborhood specifically expressed they zoning should be kept at R6 at 89 Anderson.

Point 2: Even some of the planning board members, specifically Bill Hall, expressed that there should NOT be 'spot zoning' in neighborhoods where residential R6 zoning is the only zone.

Point 3: Traffic congestion is all ready dangerous in this intersection (Fox & Anderson) but it is still workable. Any more complexity and traffic to this intersection and it will have to be reworked (Especially Jonathon's poor design of spilling out the apt garage onto Fox Street). Why should our tax payer/ property taxes monies be used to repair this traffic corner if this proposal is approved for some reason? It is an barely acceptable intersection now but if Jonathon builds on this site, Jonathon needs to be pay for this traffic intersection redesign and construction and NOT THE TAXPAYERS of the city of Portland.

Point 4: The reason why Jonathon wants to have 89 Anderson zoned a B1 or R7 is based strictly on his profit margin even though the local residents want it kept as a R6. Because he wants the highest amount of apartments jammed into that space.

Some additional comments heard from the planning board member, Carol Morrisette kept on repeating the fact that she wants "diversity" in this neighborhood. I would like to specifically ask her what is she talking about? That East Bayside neighborhood has an amazing diversification of people all ready. There are blue collar workers, teachers, artists, electricians, nurses, immigrants from Africa and Asia, etc. What does she mean she wants diversity? It must be diversity of income since these are expensive apartments starting at 1,000/ month for a studio unit at this proposed development.

Ultimately, I think it comes down to accountability and living in these neighborhoods. The Portland Planning Board members and the developer, Jonathon Culley, spout "infill is good" yet they themselves do not live on the peninsula. Additionally, they really don't care about the ramifications of the development or if it hurts the quality of life for the current residents because it appears their primary concerns are the developer's profit margin and increased property taxes for the city. As a local resident of the City of Portland and multiple property owner, this is very disappointing to watch again and again by the current city of Portland establishment of planning board members and the developers with all these backdoor wheeling and dealing that is going on.

When will the local resident voices be heard and considered?

Regards,
 K. Snyder
 East End Resident

On Tuesday, September 9, 2014 9:21 AM, Helen Donaldson <HCD@portlandmaine.gov> wrote:

To Whom It May Concern,

Please be advised that the City of Portland has received additional materials related to the proposed zoning map amendment for 89 Anderson Street. These materials include a traffic impact analysis. The applicant has indicated the intent to provide further supplemental information, including an analysis of consistency with the Comprehensive Plan, in the coming days.

If you are interested in seeing these materials, please don't hesitate to contact me. I am happy to either send pdfs or provide an opportunity for you to view a paper copy in person.

We have tentatively scheduled this proposal for a second workshop with the planning board on September 23. You can follow the board's agenda and find workshop materials on the city's website: <http://www.portlandmaine.gov/211/Planning-Board>

As always, we appreciate your input on this and other projects.

Best,
 Nell Donaldson

September 18, 2014

To Nell Donaldson (City Planner)

Thank you for the opportunity to submit comment on Redfern's rezoning request for 89 Anderson Street.

I have previously submitted comment on this proposal (July 20). Since then, many things have occurred that have, or will have, impact on this area of East Bayside, as follows:

1. The intermodal transportation facility at 122 Anderson Street has been conditionally approved by the Planning Authority;
2. East Cove Townhomes proposal for rezoning/development at 145-155 Washington Avenue is under consideration by the Planning Board;
3. The Franklin Redesign Committee has unveiled proposals to help "fix" the Marginal Way/Franklin Arterial intersection;
4. I've become aware of yet another development in the works for 192 Washington Avenue for 15 market rate apartments;
5. Redfern has changed its rezoning request from B2-b to B1-b and conducted a traffic impact study;
6. I have taken the time to research, analyze, document, and discuss/share with City staff, City Councilors, East Bayside residents, business owners, and visitors to Fox Field (Kennedy Park), a number of safety concerns that relate to the entire length of Fox Street.

On the advice of City Councilor, Kevin Donoghue, I am submitting the most recent version of the research, referred to in #6 above, as part of my comments today regarding Redfern's proposal for rezoning 89 Anderson Street. It is my intention to make this information available to all of the Planning Board members for consideration at this time, and this is the method that Councilor Donoghue suggested to accomplish that goal.

Yesterday, I met with Jonathan Culley and William Bray, the traffic consultant hired by Redfern to conduct the Traffic Impact Study related to the rezoning request for 89 Anderson Street. At that meeting I was shown, and later emailed, an addition to the original study. This addendum provides traffic volume counts for the existing business (3G's), located at 89 Anderson Street, that should be subtracted from the traffic volume numbers, previously reported in the study, that will be generated by Redfern's proposed development of 53 housing units, in order to arrive at the net increase in traffic volume.

These are my comments about the Traffic Impact Study:

1. In paragraph one, on page one of the study, it is stated that "Access to the covered parking spaces will be provided through a single entrance located on Everett Street."

This statement indicates a change from the original plan to provide access from Fox Street. As this addresses one of my previously submitted concerns, I want to express my gratitude for this change.

2. It is my understanding that this traffic study was conducted at the same time as gas line upgrade construction was being conducted on Washington and Cumberland Avenue. This construction certainly would have impacted the traffic volumes counted at this time because traffic was diverted and drivers were likely to choose to “stay away” from this congestion.
3. It is also my understanding that the PM Peak Hour traffic counts did not include traffic volumes generated by athletic events, (i.e. games and/or practices of the Portland Youth Football League, Portland Area Youth Soccer, Portland Adult and Women’s Rugby, etc.) on Fox Field (Kennedy Park).
4. I appreciate that this traffic study included an analysis of “traffic generated by projects that have been approved by the Local Planning Board and/or the Maine Department of Transportation, yet are not opened.” However, the following proposals for development are not included, yet are most likely to be approved, and will impact this area, one of them (the “fix” for the Marginal Way/Franklin intersection), quite significantly:

- a. The option for “fixing” the Marginal Way/Franklin intersection that was “least hated” by East Bayside residents and business owners who attended a September 4 neighborhood meeting would bring a substantial amount of additional traffic volume to this area because:

Vehicles, driving west on Marginal Way, from East Bayside will not be able to go straight, or turn left, at the Franklin Street intersection; they will only be able to turn right, to access Rte. 295, north or south. Vehicles will still be able to enter East Bayside, turning right or left, from Franklin Street, or heading straight through on Marginal Way from Bayside. However, they must use connecting streets, through the industrial zone, to Fox Street, in order to leave.

- b. Additional traffic volume from East Cove Townhomes, the proposed rezoning/development at 145-155 Washington Avenue, also being considered at this Planning Board meeting, on September 23, 2014;
 - c. Additional traffic volume from an upcoming development for 15 market-rate apartments at 192 Washington Avenue.
5. I also appreciate the attention paid in this traffic study to the intersection at Walnut/Washington/Fox Streets, including the updated designation of this intersection as a “high crash location,” and the suggested remediation measures for Walnut Street and the dysfunctional pedestrian crossing equipment at both existing Washington Avenue crosswalks. However, the preliminary traffic warrant evaluation for full traffic signalization at this intersection, conducted under this study concludes that:

“ . . . present intersection traffic volumes and/or other factors do not appear to satisfy the warrants for traffic signals.”

Perhaps a study done when there is no gas line construction along this section of Washington Avenue would produce a different result. However, even full signalization, at this intersection, would not adequately address the conditions that contribute to its designation as a high crash location. Parking restrictions along "upper" Fox Street, east of Anderson Street are needed, as well as suitable, and doable, remediation measures for Walnut Street.

6. In summary, about the traffic study: I greatly appreciate this effort to analyze the traffic impact of the proposed rezoning/development at 89 Anderson Street. However, this study, although conducted using current, applicable industry standards, is still simply a snapshot in time, and more art, than science. Yes, there are lots of numbers involved, but, my 28 year career as a public accountant has taught me that numbers, even though presented according to all professional compliance standards, are only representations, much like any piece of artwork. Human, common sense interpretation, and knowledge of the larger context within which they are presented, must be applied for these representations to be utilized as effective tools for decision-makers.

There are two more comments I wish to make today for this 2nd Planning Board Public Workshop on Redfern's proposal for rezoning/development at 89 Anderson Street, as follows:

1. Sight-line issues at the Fox/Anderson Street corner would be caused by the building, as currently depicted in the architectural drawings presented at the July 16 neighborhood meeting, at this location. My research about this issue revealed that this corner does not meet the City of Portland's Transportation Systems and Street Design Standards for the "Horizontal Alignment of Streets," stated in Section 1.3 of the City of Portland Technical Manual, as:

"When two streets intersect and one street is an arterial or collector street, or both streets are arterial or collector streets, the angle of intersection shall be 90 degrees. When two streets intersect and neither street is an arterial or collector street, the angle of intersection shall be at least 75 degrees and no greater than 105 degrees."

Streets are classified in accordance with the Federal Highway Administration Functional Classification Guidelines. Fox and Anderson Streets are currently classified as "Local Streets." However, these classifications have not been updated since 2005. Fox Street has likely become a "Collector Street" since then. If it isn't now, then it will be very soon.

Yesterday, when I met with Jonathan Culley and William Bray, I was informed that a different standard, than the one quoted above, applies to an intersection which has 4-way stop signs. Apparently, the intersection meets this different standard if a driver, stopped in-line with the stop sign, can see the cars, at all, that are also stopped in-line with the stop signs at any of the intersecting street segments. I can only assume that this same standard applies equally to 4-way stop intersections that meet at 90 degree

angles. I sincerely hope that the Planning Board will seriously question the applicability of this standard for this specific situation:

- a. The northern street segment of Anderson Street intersects Fox at roughly a 45 degree angle;
 - b. The stop sign on the eastern street segment of Fox Street is located approximately 35-40 feet from the right-angle line of intersection with the southern street segment of Anderson Street;
 - c. Currently, there are four different land use zones that converge at this corner: Residential Zone R-6; Recreation and Open Space Zone R-OS; Urban Commercial Business Mixed Use Zone B5; and Low Impact Industrial Zone IL-b. The convergence, at this corner, of all of these land use zones, already creates a challenging situation in regards to safeguarding residential, business, and industrial vehicular traffic and parking, as well as Fox Field visitor vehicular traffic and parking, and all pedestrian, and bicyclist traffic. Redfern's request to rezone 89 Anderson Street from R-6 to B1-b will certainly increase this challenge.
 - d. The community center/mosque, located within the IL-b zone, at this corner, conducts frequent, outdoor gatherings and activities for its members, families, and children, creating an additional safety consideration.
2. Why B1-b? I still do not understand the rationale for requesting this specific zone for a 53 unit housing development. As I stated in my previous comments to the Planning Board on July 20, the community space does not seem sufficient for anything other than an office; and the commercial space seems like an after-thought to justify the zone. Placing a restaurant, with its additional traffic and parking requirements at this corner does not make any sense in relation to the safety challenges already discussed and already present at this location. Therefore, I do not support this request for rezoning, and most certainly do not support any extension of the B1-b zone further east up Fox Street or in any direction along Anderson Street.

Thank you for your consideration of my comments. I hope you will take the time to look through the other documents I have submitted as comment, as well. I look forward to further discussions with you at the workshop on September 23.

Sincerely,

Cynthia L. Cochran
17 Hammond Street
Portland, ME 0410
(207) 773-0522
ccochran@maine.rr.com

Fox/Anderson Street Safety Concerns & Other Important Issues

Contents List

Street Design Issues

Traffic Lights & Traffic Calming Issues **UPDATED!**

Parking Issues **UPDATED!**

Redfern's Rezoning/Development at 89 Anderson Street **UPDATED!**

Cardente's Land Use Proposal - 122 Anderson Street **UPDATED!**

Franklin Street Redesign - Fix Marginal Way/Franklin Streets
Intersection – Impacts on East Bayside? **UPDATED!**

Proposed Revision - Residential R-6 Zoning Ordinance

Other Issues for Discussion:

- School Children - Traffic & Related Safety Issues

- Multiple Zones/Land Uses along Fox Street

- Does the IL-b Zoning Ordinance Need an Update?

WOW! There's an awful lot going on!

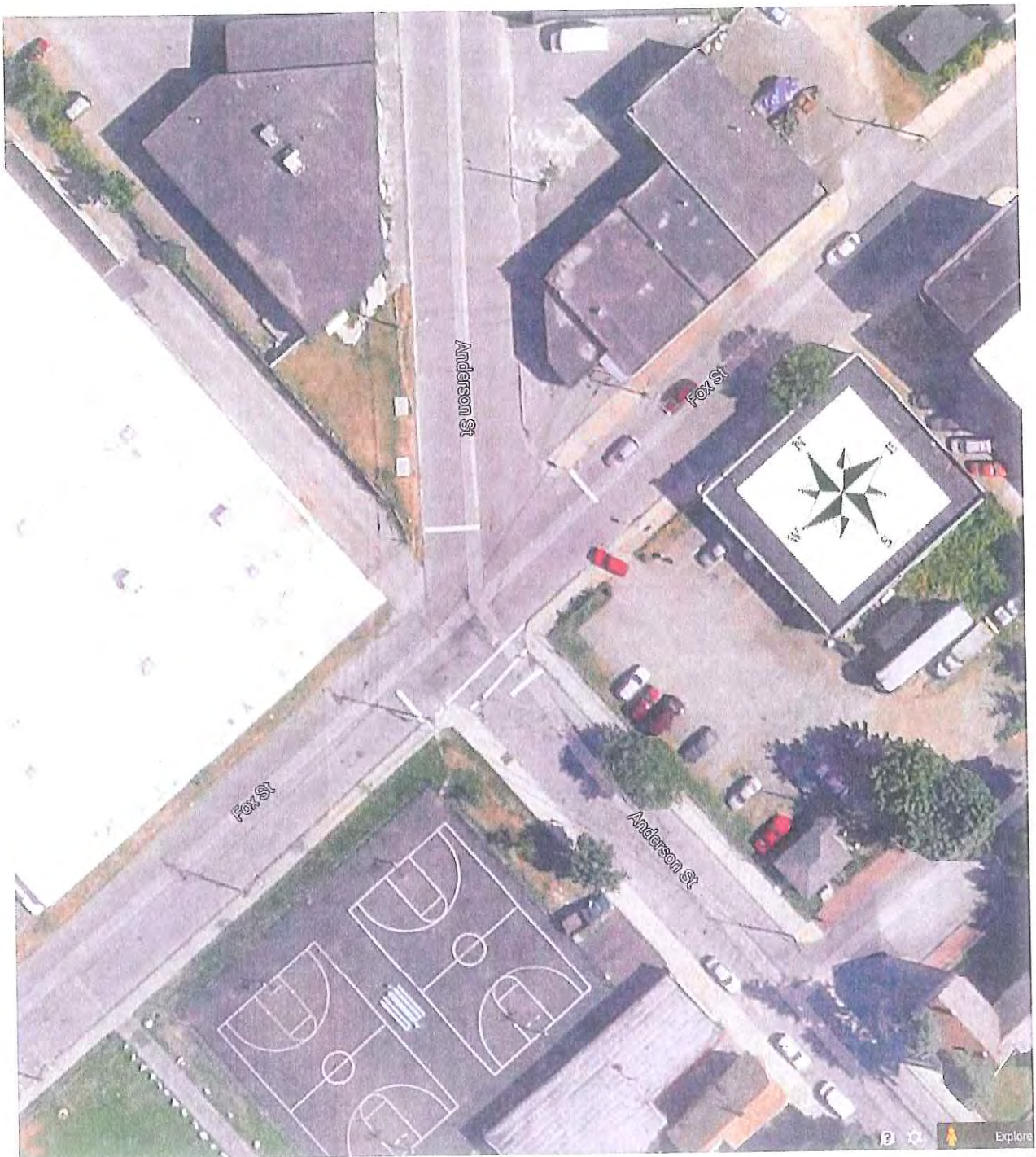
Contacts & Links

I. Street Design

A) Fox/Anderson Streets Corner

- 1) This corner does not meet the City of Portland's Transportation Systems and Street Design Standards for the "Horizontal Alignment of Streets," stated in Section 1.3 of the City of Portland Technical Manual, as:

"When two streets intersect and one street is an arterial or collector street, or both streets are arterial or collector streets, the angle of intersection shall be 90 degrees. When two streets intersect and neither street is an arterial or collector street, the angle of intersection shall be at least 75 degrees and no greater than 105 degrees."



- a) Streets are classified in accordance with the Federal Highway Administration Functional Classification Guidelines.
 - b) Fox and Anderson Streets are currently classified as "Local Streets." However, these classifications have not been updated since 2005. Fox Street has likely become a "Collector Street" since then. If not now, then soon. **(See Attachment A)**
- 2) If Redfern's proposals for rezoning and development of 89 Anderson Street are approved, this corner will not meet Maine DOT's or the City of Portland's Transportation Systems and Street Design Standards for "Sight Distance," stated in Section 1.6 of the City of Portland Technical Manual, as a measured distance of 200 or 250 feet for speed limits of 25 or 30 mph, respectively. The walls of the proposed building will obstruct these required sight distances. **(See IV,A, 1-3 below and Photos at Attachment F).**

B) Fox Street/Washington Avenue Corner

- 1) This corner does not meet the City of Portland's Transportation Systems and Street Design Standards for "Street Grades," stated in Section 1.4 of the City of Portland Technical Manual, as follows:

"Street grades at intersections shall not be more than three (3) percent for a distance of one hundred (100) feet from the center of the intersection."
- 2) Due to the downhill slope of Fox Street from its intersection with Washington Avenue, as well as allowed on-street parking, this corner does not meet Maine DOT's or the City of Portland's Transportation Systems and Street Design Standards for "Sight Distance," stated in Section 1.6 of the City of Portland Technical Manual, as a measured distance of 200 or 250 feet for speed limits of 25 or 30 mph, respectively. **(See III,A,2 below)**

II. Traffic Lights & Traffic Calming Issues

A) Crosswalks/Curbs/Sidewalks **UPDATES! (See #1-4 below) (See Larger Map of Area - Attachment B)**

- 1) A request was sent on 9/11/2014, to Bruce Hyman and Tom Errico to provide the latest, detailed description and time-line projections for all phases of this long-awaited project.
- 2) Clarification received from Tom Errico, private consultant, thomas.errico@tylin.com on 9/10/2014.
 - a) Work this fall (Nov) will be sub-surface level (i.e. below ground level).
 - b) There are different phases to these planned improvements; details are dynamic.
 - c) We won't see any sidewalks or curb extensions until next year.
- 3) Bruce Hyman, (Public Works, BHYMAN@portlandmaine.gov, 874-8833) projected earlier that:
 - a) New sidewalks on north side of Fox/west side of Anderson Streets and the west side of Anderson/ north side of Fox Streets (to just beyond the Community Center building) are scheduled to begin ~~(Oct)~~. **Updated date is next spring.**
 - b) Crosswalks and curb extensions on three sides of the Fox/Anderson Streets corner are scheduled to begin ~~(Oct)~~. **Updated date is next spring.**
 - c) Additional sidewalks on Anderson Street and curb extensions/crosswalks at the fourth corner (3Gs corner) at Fox/Anderson Streets will be scheduled for 2015.

- 4) Crosswalks (at least paint lines and related signage to restrict parking) are needed for corners of Diamond and Fox Streets. **Something like this is supposedly included in phase 2 of this project.**
 - a) Increased pedestrian patronage at Coffee By Design, Rising Tide Brewing Company, and other area business require safer passage across these streets.
 - b) Increased pedestrian and bicyclist traffic accessing the East Bayside portions of the Portland Trails.
- 5) Crosswalks (at least paint lines and related signage to restrict parking) are needed for corners of Anderson and Madison Streets. Many children cross at this location from PHA's Kennedy Park campus to attend activities at The Root Cellar on Washington Avenue.
- 6) Traffic Lights should be installed at corners of Fox/Anderson and Fox/Washington in light of the failures, cited above, to meet street design safety standards, and increased residential, recreational, commuter, pedestrian, and bicyclist traffic all along Fox Street.

III. **Parking Issues** (See Larger Map of Area - Attachment B)

A) Parking Along Fox Street from Anderson Street to Washington Avenue

- 1) Parking on both sides of "upper" Fox Street causes persistent obstruction to a safe flow of two way traffic. Winter snow and parked vehicles restrict traffic flow to one lane only.
- 2) Although parking is restricted as far down as 50 ft. from Washington Avenue on the South side of "upper" Fox Street, this is not the case for the North side, where parking is allowed for an additional 35 feet from the "No Parking from Here to Corner" sign. This contributes to the failure to meet Maine DOT's or the City of Portland's Transportation Systems and Street Design Standards for "Sight Distance," stated in Section 1.6 of the City of Portland Technical Manual at the corner of Fox and Washington Avenue. **(See I,B,2 above)**
- 3) The "No Parking – Here to Corner" signage is missing (i.e. not there) on Fox Street corners with Hammond and Winthrop Streets and on Hammond Street corners with Fox Street. Cars parked consistently within 25 ft. of these corners block drivers' vision as they pull out onto Fox Street, creating a safety hazard.

Recommendations:

- (a) Restrict parking further down the North side of Fox Street from its corner with Washington Avenue to the edge of the Gallery Parking Lot driveway.
- (b) Restricting parking to one side only of Fox Street, East of Anderson Street
- (c) Put up the missing "No Parking" signs

B) Parking Along Fox Field **UPDATE!** (See Recommendations, a-b below)

- 1) Up to 4-5 tractor trailers consistently park along Fox Field, often for 2-7 days at a time **(Photos at Attachment C)**
 - a) Greatly reduces availability of parking for participants in Fox Field activities
 - b) Greatly reduces safety due to decreased sightlines for all users on Fox Street (pedestrians, bicyclists, and vehicular traffic)
 - c) These tractor trailers do not belong to, nor conduct business for the industrial zone businesses across the street.

Recommendations:

- a) 3 hour limit on south side of Fox Street between Franklin and Anderson Streets. This allows adequate parking time for field event participants
 - b) Petitions and supportive signatures, in support of this proposal, were collected and submitted to Jeremiah Bartlett. These, along with Kevin Donoghue's sponsorship, will be reviewed by the Transportation, Sustainability, and Energy Committee (TSEC) at their Sept. 17 meeting
- 2) There is no off-street parking available for participants or spectators using the basketball courts and/or Fox Field. This situation results in cars parked illegally, as well as cars parked on the business lots across the street. The business lots are restricted for business patrons and are clearly marked as such. **(Photos at Attachment D1 and D2)**
- a) Fox Field is a City owned Recreation and Open Space (R-OS) Zone. Division 20, Sec 14-332.1 of City Zoning Code states:

"Recreation open space zone: Off-street parking adequate to serve projected employee and visitor needs shall be provided."
 - b) Fox Field use has increased substantially over the past few years.
 - c) Traffic volume on Fox Street has substantially increased over the past few years and will increase further due to current, and on-going housing developments in the area
 - d) Field users, opening driver-side doors to unload multiple passengers and athletic equipment, create numerous traffic hazards
 - e) Children and adults walking between vehicles into the Fox Street roadway create a safety hazards for all users on Fox Street due to the reduced sightlines between vehicles, and often, the sudden and unexpected nature of these movements.

Recommendations: **(Photos at Attachment E)**

- a) Create an off-street, parking area behind the facilities building and two residential properties at 80 - 90 Anderson Street with gated access from Fox Street, between the basketball courts and the athletic field.
- b) A locked gate should be installed to allow use only during athletic events. Discuss possibility with Ethan Owens, City's Athletic Facilities Manager, ewovens@portlandmaine.gov.
- c) Use grasscrete instead of pavement to retain a permeable surface area. Keeps the grass growing! See description and examples of grasscrete [here](#).

IV. Redfern's Rezoning/Development at 89 Anderson Street

A) Restricted sight-lines at Fox/Anderson Street corner **(See I,A, 1-2 above and Photos at Attachment F)**

- 1) Architectural drawings presented at the Neighborhood Meeting on July 16 locate the building walls at the edges of the sidewalks along Fox and Anderson Streets
- 2) Due to the angle at which Anderson Street intersects Fox Street from the North, the Stop Sign at the foot of Fox, when headed west, is located 35-40 feet back from the location of the end of the sidewalk on the opposing corner.
- 3) 45-50 foot walls would obstruct the view of vehicles coming to Fox Street from the residential area south on Anderson Street, as well as those coming down the hill from Washington Avenue on Fox Street.

B) On-site parking to be accessed from Fox Street UPDATE! Access now from Everett Street! (See separate PDF file: Traffic Impact Study provided by Jonathan Culley on 9/9/2014)

- 1) Architectural drawings presented at the Neighborhood Meeting on July 16 locate the entrance/exit for the 53 proposed, on-site parking on Fox Street
- 2) This creates substantial, additional safety hazards for all users of Fox Street.
- 3) Locating the parking access on Everett Street is a reasonable alternative.

C) Overflow parking for residents and patrons of the proposed restaurant

- 1) This has not yet been addressed. At the Neighborhood Meeting on July 16, Jonathan mentioned the possibility of obtaining parking, directly across Fox Street, from same property owner (as 3Gs). However, it has become common practice for “on-peninsula” developers to take advantage of an option to pay fees to the City instead of providing the number of parking spaces required by zoning ordinances. (See City of Portland Code of Ordinances, Chapter 14 - Land Use, Division 20 – Off-Street Parking, Sec. 14-345).
- 2) Parking requirements for B1 zone: 1 for each residential unit; 12 for the restaurant space and 1-4 additional for other commercial space, depending on use of occupant, totaling 66-69.

D) Information Resources: UPDATE!

- 1) Planning Board Workshop #2: September 23, 2014, 7pm, City Council Chambers. Documents and materials have not yet been posted, but will be available from [here](#).
- 2) Email Update from Redfern’s Jonathan Culley on August 4, 2014 (Attachment G)
- 3) Architectural drawings presented at July 16 Neighborhood Meeting (Attached)
- 4) Proposal Documents for July 22 Public Workshop:
 - a) [Planning Staff Memo](#)
 - b) [Applicant's Submittal](#)
 - c) [Neighborhood Meeting Packet](#)
 - d) [Public Comment](#)

V. Cardente Realty’s Land Use Proposal for 122 Anderson Street

A) Intermodal Transportation Facility for staging up to 30 tractor trailers for the Nova Star Ferry operations from mid-May thru early November UPDATE! (See #1 below)

- 1) Clarification was obtained from Tom Errico regarding monitoring process outlined in Section B, iv of the conditional approval at 9/10 meeting with City staff.
 - a) Monitoring time-frames will be coordinated with information from Recreation & Facilities management to include days & times when Fox Field is in use.
 - b) Monitoring will be conducted within the two week period of commencement of operations (i.e. in Sept/Oct 2014) and will also be conducted during the 2015 season, once operations have become more established (i.e. July/August, 2015).
- 2) This land use proposal received conditional approval from the City Planning Authority on August 15, 2014. (See attached approval letter for waivers and conditions)
- 3) Only 15 tractor trailers are allowed during 2014.

- 4) It appears that each trailer will pass through the Fox/Anderson Street corner twice daily, on its journeys to and from this staging site (i.e. 15 trucks = 30 trips). (See attached map)

VI. Franklin Street Redesign – Impact on East Bayside? **UPDATE!**

A) Fixing the Marginal Way/Franklin Arterial intersection: (See new attachments, #1-2 below)

- 1) Meeting held Sept 4 at Zero Station, 222 Anderson Street:
 - a) Meeting flyer, meeting notes, and graphic illustrations of proposed solutions are presented in attachments. (See attachments pages 22-28)
 - b) **Please note:** The solution titled “Restricting Out-Movements from East Marginal Way,” that was “disliked the least,” will increase traffic volumes on Fox Street. (See attach, page 25)
- 2) **Follow up meeting to discuss these options further:** Franklin Street Public Workshop will be held on Wednesday, October 1 at Rines Auditorium/Portland Public Library from 5:30 to 7 pm.

B) Franklin Street Redesign Committee – City web site is [here](#).

C) Documents currently available from this site:

- 1) [Alternative Cross Sections](#)
- 2) [Station Graphics](#)
- 3) [Minutes of April 3, 2014 Meeting](#)
- 4) [Minutes of January 29, 2014 Public Workshop](#)

VII. Proposed Revision of Residential R-6 Zoning Ordinance

A) R-6 Zone changes web site: <http://www.portlandmaine.gov/1260/Amendments-to-the-R-6-Zone>

B) Cliff Notes (underlying details are not yet available): (See attached City Zoning Map)

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

Date: June 17, 2014

III. Other Issues for Discussion

A) School Children - Traffic & Related Safety Issues.

- 1) Could this stop be relocated to a safer place? Greenleaf Street? Could the bus be re-routed down Madison, instead of stopping to let children off the bus on upper Fox Street?
- 2) Need for crossing guards at appropriate times and locations for East Bayside school children
- 3) What are the issues and needs for parents, children, bus drivers, etc.?

B) Multiple Zones/Land Uses along Fox Street (See attached City Zoning Map)

- 1) Six zones are currently represented on Fox Street:
 - a) Residential Zone R-6;
 - b) Residential Zone R-7;
 - c) Recreation and Open Space Zone [R-OS];
 - d) Community Business Zone B-1b;
 - e) Urban Commercial Mixed Use Zone B5;
 - f) Low Impact Industrial Zone IL-b
- 2) What opportunities and challenges does this convergence bring to our neighborhood?

C) Does the IL-b Zoning Ordinance Need an Update?

- 1) The purpose of this zoning is stated as follows in Chapter 14, Division 13 of the City of Portland Code of Ordinances:

“The low impact industrial zone is intended to provide areas in which low impact industrial uses and limited other uses serving employees and residents of the surrounding neighborhood will be compatible with adjacent residential uses, will provide a buffer between residential neighborhoods and the I-M or I-H industrial zones, or will stand alone as a smaller scale industrial district.”
- 2) Can permitted uses be updated and/or expanded to allow greater flexibility to property owners and tenants
- 3) Can additional “other uses serving employees and residents of the surrounding neighborhood” be identified and included?
- 4) Are certain currently permitted uses really “compatible” with the adjacent Recreation and Open Space (R-OS) and Residential R-6 and R-7 Zones?
- 5) Other issues and concerns?

IX. WOW! There’s an awful lot going on!

(See attached street map with known developments as of 8/31/2014)

Email Contact Information and Links to Information

City Web Site: <http://www.portlandmaine.gov/>

Portland's Comprehensive Plan: <http://me-portland.civicplus.com/562/Comprehensive-Plan>

Mayor: Michael Brennan, mfpb@portlandmaine.gov

Mayor's Office: <http://me-portland.civicplus.com/338/Mayors-Office>

District 1 City Councilor: Kevin Donoghue, kjdonoghue@portlandmaine.gov

At Large City Councilors: Jon Hinck, jhinck@portlandmaine.gov

Nicholas Mavodones, NMM@portlandmaine.gov

Jill Duson, jduson@portlandmaine.gov

Planning & Urban Development: <http://www.portlandmaine.gov/314/Planning-Urban-Development>

Department Head: Jeff Levine, jlevine@portlandmaine.gov

Planning Division Director: Alex Jaegerman, aqj@portlandmaine.gov

Traffic Engineer: Jeremiah Bartlett, JBartlett@portlandmaine.gov

Parking: <http://www.portlandmaine.gov/351/Parking>

Manager: John Peverada, jbp@portlandmaine.gov

Codes, Regulations & Ordinances: <http://www.portlandmaine.gov/756/Codes-Regulations-Ordinances>

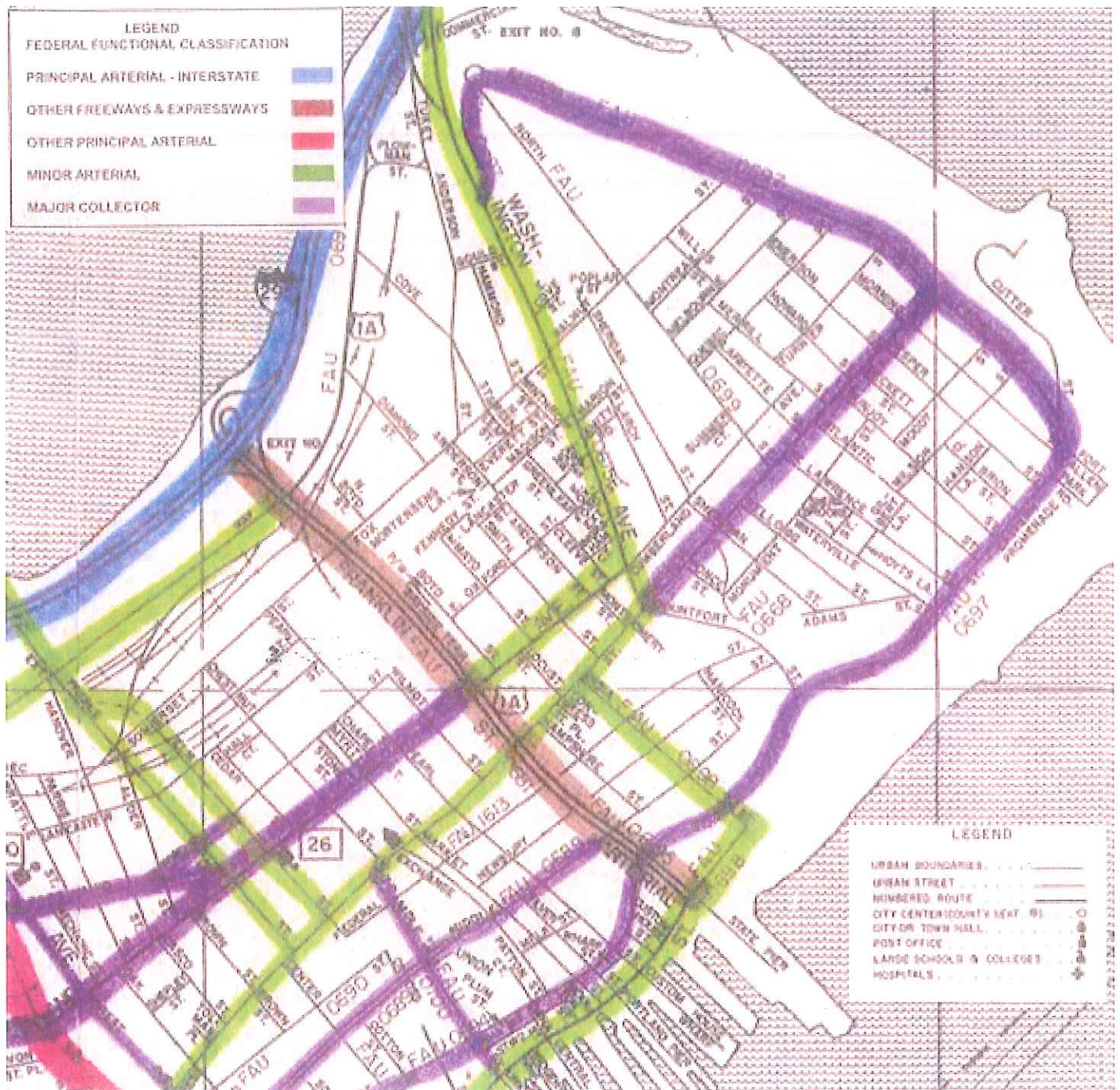
Chapter 14 – Land Use: <http://www.portlandmaine.gov/DocumentCenter/Home/View/1080>

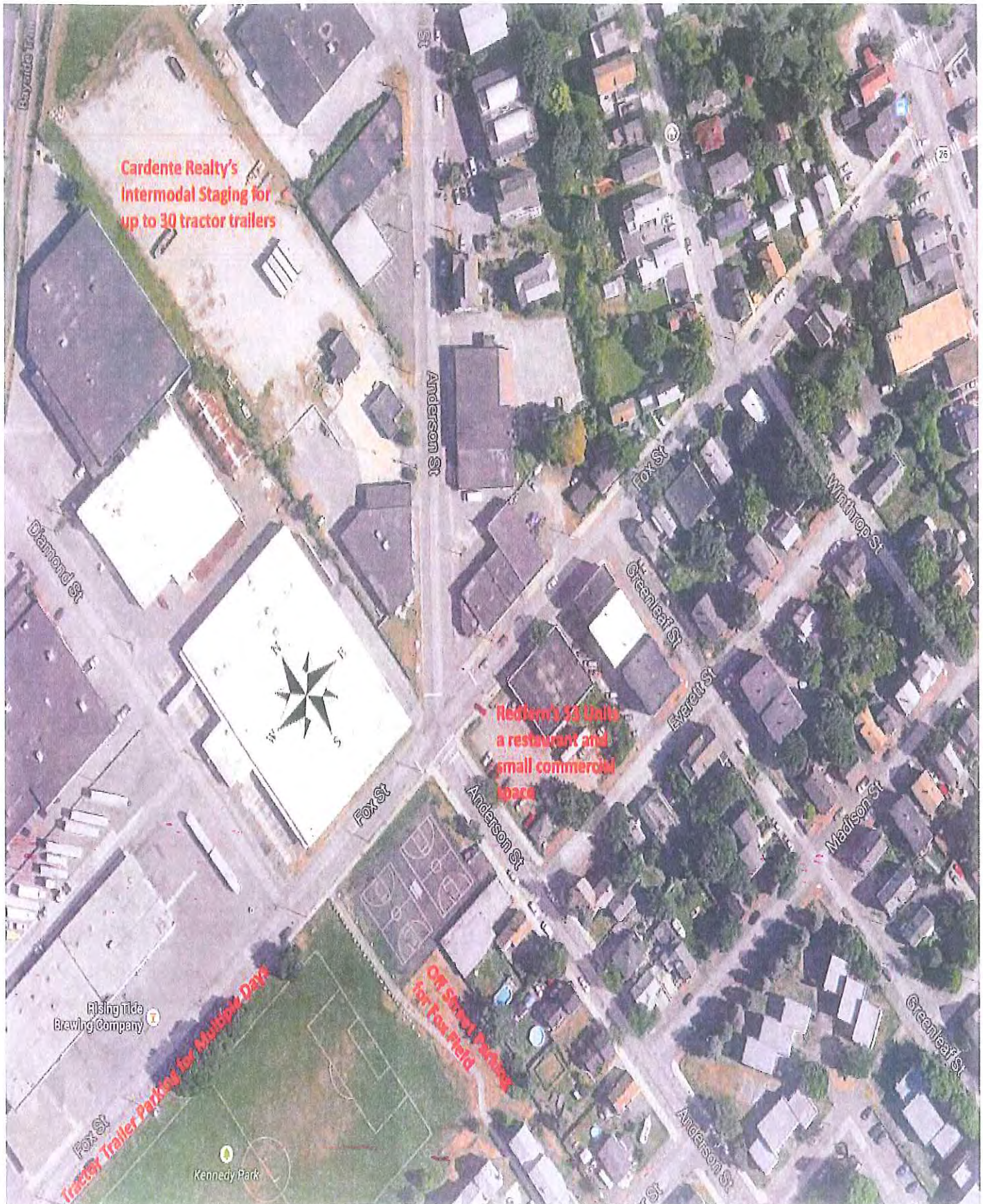
City Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2211>

Fox/Anderson Street Safety Concerns & Other Important Issues

Attachments List

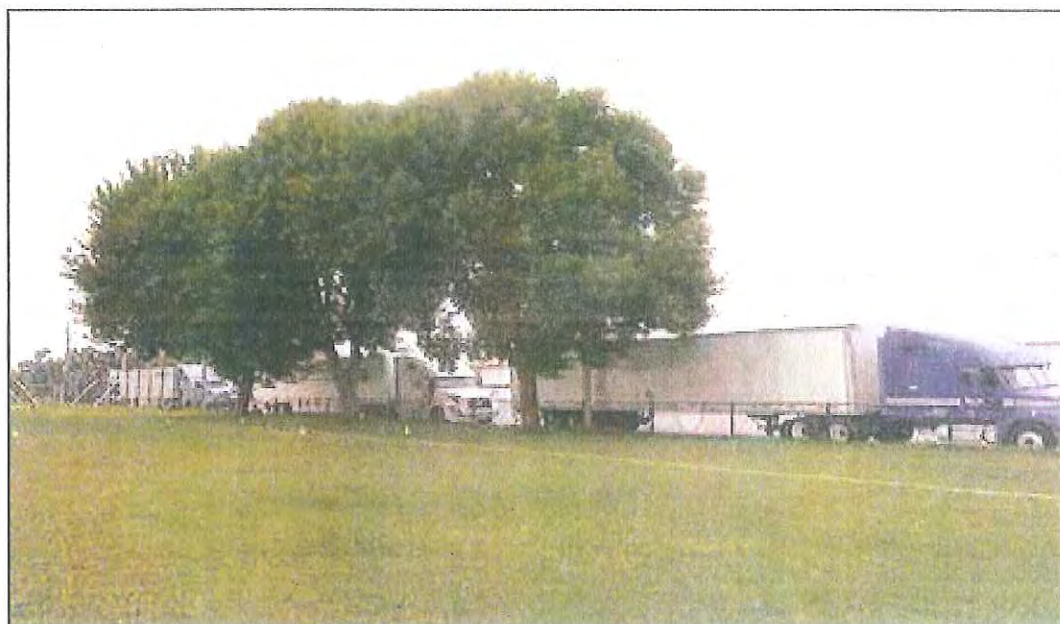
- A - Street classification map
 - B - Earth view map of Fox/Anderson Streets
 - C - Photos of tractor trailers parking along Fox Field
 - D1 - Photos of parking situation when Fox Field is in use
 - D2 - Business parking lots filled with field use overflow
 - E - Photos of possible area for off-street parking for Fox Field
 - F - Photos of Fox/Anderson intersection **UPDATE!** Now shows building outline in red
 - G - Email update on 89 Anderson Street proposal **UPDATE!** Emails and Traffic Study (See PDF file)
- Architectural drawings of proposed building at 89 Anderson Street (3 pages)
- Conditional approval letter for intermodal staging at 122 Anderson Street (6 pages)
- Map of Nova Star tractor trailer route through East Bayside
- Franklin Redesign Committee meeting about fixing the Marginal Way/Franklin intersection **UPDATE!** (Now 7 pages)
- Zoning Map of East Bayside/Munjoy Hill
- East Bayside/Munjoy Hill street map showing known developments as of 8/31/2014





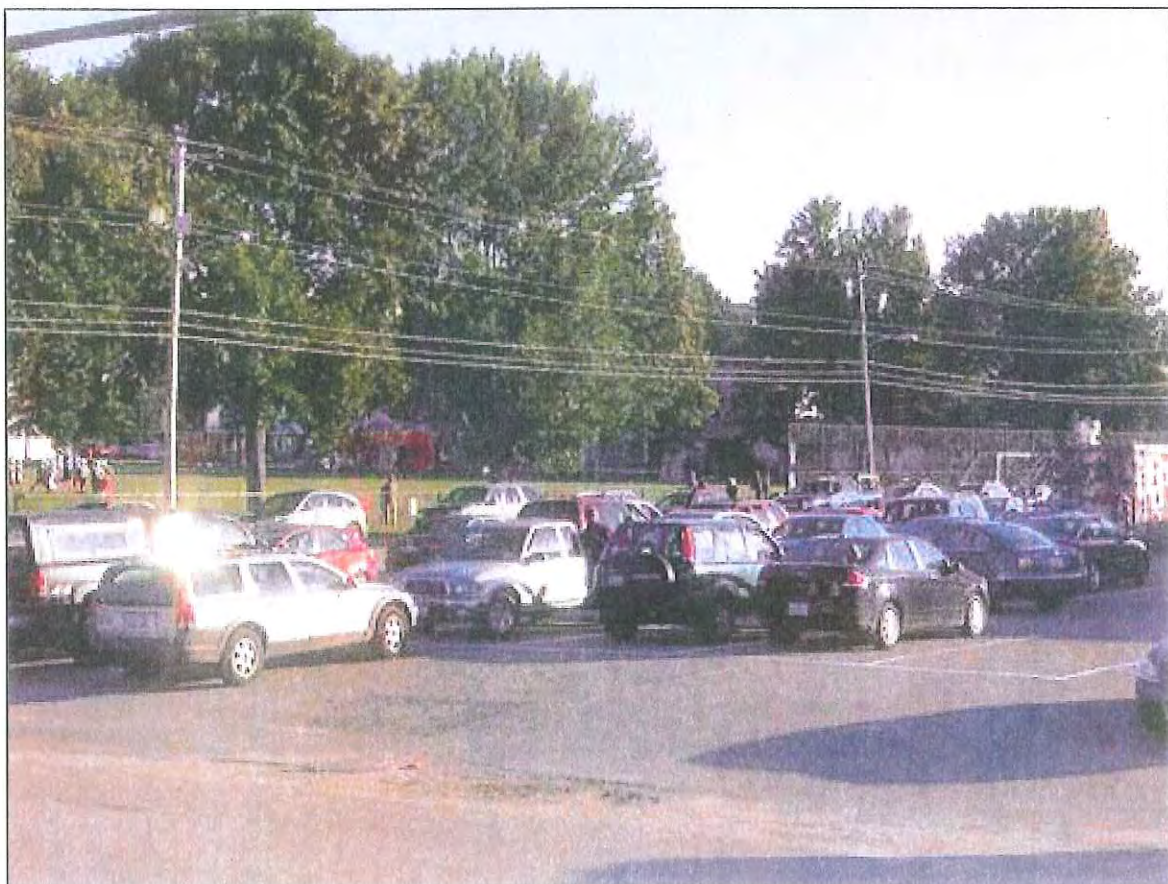


Tractor trailers
parked along
Fox Field





**Business
parking lots
filled with
overflow
parking during
field use**





Possible area for off-street parking for Fox Field users





Line of sight
issues at Fox/
Anderson Street
corner
(Redfern's
proposed
building site
outlined in red)



Subject: 89 Anderson - Update and Traffic Study
From: Jonathan Culley <jonathan@redfernproperties.com>
Date: 9/9/2014 9:03 AM
To: Jonathan Culley <jonathan@redfernproperties.com>

Last update received by neighborhood residents about Redfern's proposed rezoning/ development at 89 Anderson

Dear East Bayside Resident:

You are included on this email if you provided your email address on the sign-in sheet at the July 16th neighborhood meeting, or if I have otherwise communicated with you on the proposed 89 Anderson Street project.

To give you an update, we have been waiting for the results of a Traffic Study, which we have recently received and is attached. The Study took a comprehensive look at Fox Street from Franklin to Washington, looking at the three intersections (including Fox/Anderson). This is a far more comprehensive study that is required by the Zoning process, and is a response to concerns expressed by neighbors and the Planning Board. The study makes some important recommendations, that we intend to advocate for, should our project go forward. We understand that Tom Errico, the City's traffic engineer (actually employed by T.Y. Lin by contracts to the City) is conducting a peer review of this Study this week.

Second, we have decided to modify our Zoning request to ask for B1b as opposed to B2b Zoning, the rationale for which is discussed in the email below.

We have not yet scheduled a subsequent workshop with the Planning Board, but expect to do so soon. I will send a subsequent email when we have a workshop scheduled.

I would welcome additional discussion on the attached Traffic Study or any other matters that are of concern to you. Please do not hesitate to call or email me. Thanks!

Jonathan Culley
Redfern Properties LLC
 Cell: 207-776-9715
 Office: 207-221-5746
 Fax: 207-221-2822

jonathan@redfernproperties.com
www.redfernproperties.com
www.redfernhomes.com
www.munjoyheights.com

From: Jonathan Culley <jonathan@redfernproperties.com>
Sent: Monday, August 04, 2014 12:46 PM
To: Jonathan Culley <jonathan@redfernproperties.com>
Subject: 89 Anderson update

Dear East Bayside Resident:

You are included on this email if you provided your email address on the sign-in sheet at the July 16th neighborhood meeting, or if I have otherwise communicated with you on the proposed 89 Anderson Street project. I wanted to provide an update on our process. We have taken two meaningful steps since the July 22nd Planning Board meeting.

First, in response to what seemed like the loudest concerns during Public Comment at the July 22nd meeting, we have commissioned a traffic (and parking) study for the neighborhood including Fox Street from Franklin to Washington. Bill Bray of Traffic Solutions Inc. will be conducting the study; you may see him seeing his traffic counting equipment on Fox Street in the near future. We have asked the City to have their traffic engineer provide a 'peer review' of the study, once complete, and they have agreed. We hope to have some preliminary results by the 3rd week of August and I would

be pleased to host a meeting for concerned neighbors once we have a Draft of the report. I have asked Bill Bray to consider things like traffic lights and other traffic calming devices that could alleviate some of the pressure on Fox Street. My ultimate hope would be to go the City, in conjunction with you, the neighbors, to press for some changes that could dramatically improve the traffic situation.

Second, while our sense was that the Planning Board was generally supportive of the project, we sensed some hesitation about the B2b zone in this location. So we are working with City staff to potentially revise our request to ask for B1 Neighborhood Zone (instead of B2b). While this would allow our proposed building to go forward, it seems more appropriate for the neighborhood. In fact, this zone was written for situations such as this and it is considerably more restrictive on the types of allowable commercial uses on the ground floor, and thus would offer some additional protections for the neighborhood, preventing non-compatible uses. I will paraphrase from Section 14-161 of the Land Use Code - page 14-239 at <http://www.portlandmaine.gov/DocumentCenter/View/3430>

"The purpose of the B-1 neighborhood business zone is to provide limited areas for the location of small-scale commercial establishments intended to serve a local market. As a result, uses shall be complementary, quiet and generally do not disturb the comfort and enjoyment of the adjoining neighborhood environment...."

This zone shall encourage mixed use buildings such as commercial first floor with residential uses above....The zone also provides the opportunity for mixed use and high residential density in on-peninsula locations.

Suitable locations for this zone may include street intersections and arterial streets with existing or proposed traditional neighborhood retail and service uses."

We do not expect to have another Planning Board workshop until after we receive the Traffic Study, and make a final decision on whether we will seek B1 Neighborhood Zone (but it looks like it is going this way). So I am guessing the next workshop will not be until September.

As always, I welcome dialogue with all of you. Please call or email me anytime to share thoughts, ideas, and concerns. Otherwise, I will be back in touch once we have more information on the Traffic Study.

Jonathan Culley
Redfern Properties LLC
Cell: 207-776-9715
Office: 207-221-5746
Fax: 207-221-2822

jonathan@redfernproperties.com
www.redfernproperties.com
www.redfernhomes.com
www.munjoyheights.com

Architectural drawing's of Redfern's proposed development at 89 Anderson Street
presented at July 16 neighborhood meeting (3 pages)





PROGRAMS/TRAFFIC ONLY
Not for Construction



UNIT TABULATION		
UNIT	AREA (SF)	TYPE
201	915	2 BEDROOM
202	952	2 BEDROOM
203	582	1 BEDROOM
204	616	1 BEDROOM
205	582	1 BEDROOM
206	667	1 BEDROOM
207	686	1 BEDROOM
208	396	STUDIO
209	418	STUDIO
210	894	2 BEDROOM
211	418	STUDIO
212	638	1 BEDROOM
213	418	STUDIO
214	582	1 BEDROOM
215	668	1 BEDROOM
216	582	1 BEDROOM
217	615	1 BEDROOM
218	617	1 BEDROOM



Alex Jaegerman, FAICP
Division Director, Planning Division

**Conditional approval for
Intermodal Transportation
Facility at 122 Anderson
(pages 13-18)**

August 15th, 2014

Douglas Cardente
Anderson Street Realty, LLC
322 Fore Street, 3rd floor
Portland, ME 04101

Michael Cardente
322 Fore Street, 3rd floor
Portland, ME 04101

Project Name: Change of use to Intermodal Transportation Facility for up to 30 vehicles
Project ID: #2014-112 CBL: 10 11005001
Address: 122 Anderson Street, Portland
Applicant: Douglas Cardente, Anderson Street Realty LLC
Planner: Jean Fraser

Dear Messrs Cardente:

On August 15th, 2014, the Planning Authority approved, with waivers and conditions as listed below, a Level II site plan for the use of the site for Intermodal Transportation for up to 30 vehicles at 122 Anderson Street. The approval includes the use of the northernmost drive for trucks accessing the intermodal part of the site. The decision is based upon the application, documents and plans submitted by Anderson Street Realty LLC and shown on the attached plan submitted July 18, 2014. The proposal was reviewed for conformance with the standards of Portland's site plan ordinance, particularly the Transportation Standards (see the Traffic Review Comments of August 4th, 2014 attached).

A. WAIVERS

1. Sidewalks

The Site Plan standards require a sidewalk along all frontages of the site. The Planning Authority has waived this requirement as the proposal meets two of the waiver criteria set out in section 14-506 (b):

3. A safe alternative-walking route is reasonably and safely available, for example, by way of a sidewalk on the other side of the street that is lightly traveled.
4. The reconstruction of the street is specifically identified and approved in the first or second year of the current Capital Improvement Program or has been funded through an earlier CIP or through other sources.

The City's Anderson Street Neighborhood Byway Project is anticipated to commence in September 2014 and will include construction work to create sidewalks, permanent pedestrian crossings and utility upgrades at the Anderson Street/Fox Street intersection, including a sidewalk along the frontage of the proposal site and along Anderson Street.

2. Location and Spacing of Driveways

Section 1.7.1.7 of the City's Technical Manual establishes spacing requirements for driveways. These are not fully met by the proposals as they are utilizing the existing driveways and curb cuts that currently serve other users as well as the proposed use. The Planning Authority supports a waiver from these standards in view of the existing conditions and the constraint on any substantial modification, and subject to the conditions of approval for the site plan.

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B. SITE PLAN REVIEW

The Planning Authority finds the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval, and the standard conditions of approval, listed below:

- i. That this approval is for the use of the site for an intermodal transportation facility as presented in application #2014-112, ie for trucks waiting to load onto the Nova Star Ferry at Ocean Gateway (known as a staging area). Any other use of the site shall be subject to any city required reviews and approvals, licenses, and permits, as applicable; and
- ii. The trucks departing the site to go to the Ocean Gateway facility shall use the route from the site to Anderson Street to Fox Street to Franklin Street to Commercial Street; and
- iii. That the intermodal transportation facility trucks shall access the site only via the northernmost drive access, and that trucks entering or exiting the site over a delivery day time period (trucks arriving in advance of ship departure during the day and leaving the site to get to the ship) shall be limited to 15 trucks during 2014 operations. The applicant/operator shall be required to submit to the Planning Authority, on a monthly basis, a written record of the number of trucks using the site each day. Following the results of the monitoring study outlined in Condition iv., the number of trucks may be increased to a maximum number of 30 trucks either entering or exiting the site over a 24-hour period. Otherwise the maximum will remain 15 trucks at any one time; and
- iv. That the applicant shall fund a traffic and pedestrian monitoring study (maximum cost \$1500) to be conducted by the Planning Authority. The monitoring study shall be conducted within two weeks after operations begin and at a later date in the 2014 season. The monitoring study will ensure the conditions of this approval are being met and identify any issues that may need resolution. It should be noted that the monitoring study shall include all roadways / intersections between 122 Anderson Street and the Ocean Gateway site. If the monitoring study identifies safety concerns, the applicant shall be fully responsible for implementation of mitigation measures. It is anticipated that possible mitigation measures may include, but are not limited to, additional warning signs and pavement marking, traffic signal modifications at intersections along Franklin Street, truck arrival/departure management by personnel at the site, and route adjustments; and
- v. The applicant or operator shall implement, from the commencement of truck staging operations, a departure management plan that limits the truck departure rate to a maximum frequency of one truck per minute, to take place between the hours of 7:00pm and 9:30pm. The westbound Fox Street signal phase at Franklin Street will not likely be able to process more than one truck and therefore is currently a limiting factor. The departure management plan may be adjusted in agreement with the Planning Authority based on the monitoring study, which will review this departure rate and recommend adjustments, as necessary; and
- vi. That between the hours of 10pm and 7am no trucks shall access or leave the site, and any new lighting shall be turned off during these hours. Refrigerator trucks shall only utilize the site between 7am and 10pm, shall be parked as far as possible from Anderson Street and meet the sound standards of the ILb zone. All other trucks shall turn off their engines when on the site to minimize fumes; and

- vii. The applicant shall implement temporary pedestrian enhancements to the Anderson Street/Fox Street intersection to be implemented in advance of the commencement of the truck staging operation. These improvements shall include the following and be carried out in accordance with City standards:
- o A crosswalk shall be painted on the westerly Fox Street approach. The crosswalk shall be aligned with the apex on the southwest corner of the intersection and the Coffee By Design Driveway on the northwest corner (half of the crosswalk would be in the driveway).
 - o A crosswalk shall be painted on the easterly Fox Street approach. The crosswalk shall be aligned with each corner apex.
 - o STOP bars shall be re-painted on the eastbound Fox Street approach and the southbound Anderson Street approach.

It should be noted that the permanent improvements at this intersection are expected to be under construction beginning later this summer; if the temporary pedestrian enhancements are impacted by the construction activity, they will be reinstated per city requirements by the utility or city contractors until the permanent pedestrian measures are installed; and

- viii. That the monitoring study identified in Condition iv. shall include the driveway access/egress conditions for both site driveways. Currently, Tandem Coffee and Bunker Brewery use both driveways and this will continue in the future. If deemed necessary from the monitoring study, on-site circulation and access provisions will need to be formally regulated and controlled. An outcome of the monitoring study could be that the northerly driveway (with the truck scale) be used for trucks and employees only and the southerly driveway be used for Tandem Coffee and Bunker Brewery customers and the Community Center. Changes may require both regulatory and wayfinding signage and the applicant would be required to propose how to physically separate the two driveways, internally, so that vehicles are controlled; and
- ix. The applicant shall be responsible for providing a fully paved driveway of a minimum width of 22 feet wide from the right-of-way boundary extending into the site for 50 feet, prior to the commencement of the truck staging operation. A plan of the construction details for this improvement shall be provided for review and approval by the Planning Authority prior to installation. The remainder of the site shall be maintained with a surface that does not allow the creation of dust. In addition, the applicant shall install truck entering warning signs at the site driveway that are compliant with the Manual on Uniform Traffic Control Devices, Federal Highway Administration. Final details of signs shall be reviewed and approved by the Planning Authority; and
- x. That the applicant shall advise the lessees on the site and the Muslim Community Center in advance of the start date for the proposed truck staging operation, and provide details of the likely truck activity and a contact person if there are any problems on the site; and
- xi. That this approval is for an intermodal transportation facility based on the specific Nova Star operations as described in the submissions in July 2014 as part of #2014-112. Any proposed changes in the operator, timing of the truck departures or other operational characteristics shall be advised to the Planning Authority prior to commencement and may be subject to further review; and

- xii, That separate permits from the Inspections Division shall be required for any new or revised signage (except those meeting MUTCD as installed for traffic and pedestrian safety). Other required permits include a Street Opening Permit from the Department of Public Services for any work in the right of way (eg curb cuts); a Change of Use Permit from the Inspections Division; and a Building Permit for Site Work only from the Inspections Division.

The approval is based on the submitted site plan for application #2014-112. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval. The standard conditions of approval are listed below.

NOTE

The applicant and operator should note that the Anderson Neighborhood Byway Project is anticipated to commence in September 2014 and will include construction work to create sidewalks, permanent pedestrian crossings and utility upgrades at the Anderson Street/Fox Street intersection and along the frontage of the proposal site and Anderson Street. The construction will necessitate limitations on vehicle and pedestrian access to the site during the construction activities, such as single lane alternative flow scenarios. It is anticipated this would be less of an issue at the time of the trucks departure from the site in the evening, but would impact trucks arriving at the Intermodal Transportation facility as well as other users of the property.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. Develop Site According to Plan The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. Separate Building Permits Are Required A separate building permit for Site Work only is required from the Inspections Division, and permits for work in the right of way are required from the Department of Public Services. This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. Site Plan Expiration The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. Performance Guarantee and Inspection Fees A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount or a minimum of \$300, and four (4) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. Defect Guarantee A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

6. Preconstruction Meeting Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. Department of Public Services Permits If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
8. As-Built Final Plans Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

The proposals have been reviewed as a Level II Staff level review in accordance with the current ordinance requirements, as summarized in the attached "*Report of Findings*".

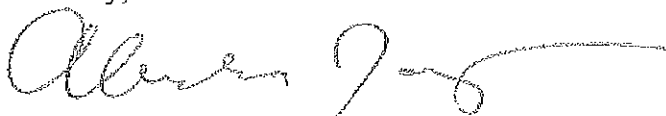
The site plan ordinance includes a provision regarding appeals of an administrative decision, as follows:

Sec. 14-529. Appeals.

- (a) When the planning authority has approved, approved with conditions, or denied a site plan, or has approved a request to extend the expiration date of a Master Development Plan, any person aggrieved may appeal the decision to the planning board within thirty (30) calendar days of the date of the written decision of the planning authority. Upon the taking of such an appeal, the application or request for an extension shall be reviewed as a new application or request.

If there are any questions, please contact Jean Fraser at (207) 874- 8728.

Sincerely,



Alexander Jaegerman, FAICP
Planning Division Director

Attachments:

1. Staff Report of Findings
2. Site Plan and narratives submitted July 2014
3. Traffic Review comments from Tom Errico dated August 4, 2014, as amended 8.11.2014

cc list below

Next Page

cc:

Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPietro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspections Division Director
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CFO, Inspections Division
Laurie Dobson, Administration, Inspections Division
Brad Saucier, Administration, Inspections Division
Michael Dobinsky, Public Services Director
Katherine Farley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services

Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Captain Chris Pirono, Fire Department
Danielle West-Chubita, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

Intermodal Transportation Facility at 122 Anderson Street - conditionally approved route for Nova Star tractor trailers to/from East Bayside to Ocean Gateway facility

DIRECTIONS TO THE INTERMODAL TRUCK STAGING YARD:

- FROM 295
1. EXIT 7 FRANKLIN ST. ARTERIAL
 2. TAKE 2ND LEFT ONTO FOX ST.
 3. TAKE 3RD LEFT ONTO ANDERSON ST.
 4. TAKE 2ND LEFT INTO DRIVEWAY (NOVA STAR SIGN)



(See related "Fact Sheet" on page 21)



Help us Fix the Marginal Way-Franklin St. Intersection!

- The intersection is choked with vehicles during peak travel times and is very uncomfortable for bicyclists and pedestrians to cross
- Traffic projections show that congestion at the intersection will get worse in coming years
- Moving around within East Bayside is not always easy for vehicles, bikes OR pedestrians!

Please come hear about possible solutions and tell the City of Portland representatives your thoughts on how traffic affects customers, employees and residents.

East Bayside
Neighborhood Meeting
Sept. 4, 5:30 pm at Zero Station

FMI Carol Morris/329-6502

See page 28 for more contact info for Carol Morris

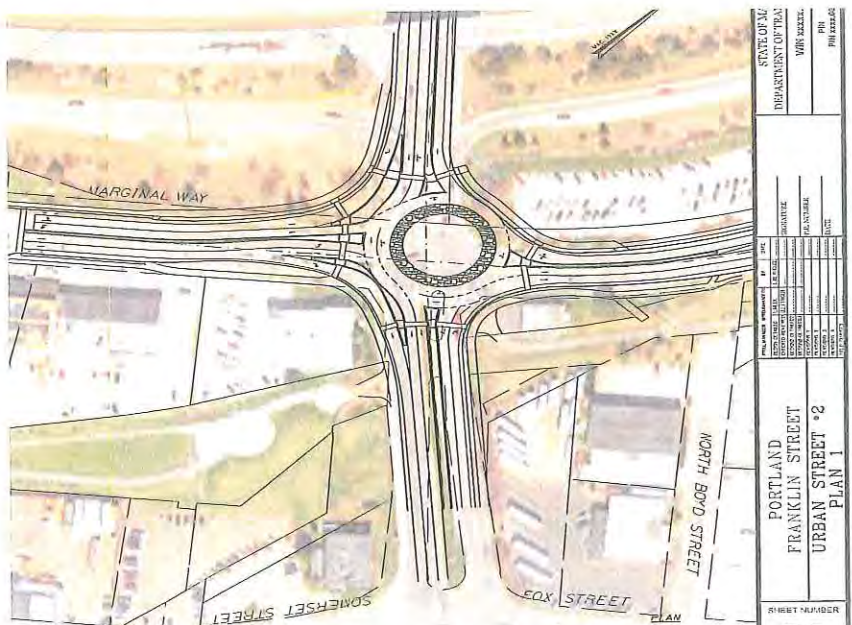
**Franklin Street Feasibility Study
East Bayside Neighborhood Meeting
September 4, 2014**

Purpose of Meeting: To Provide Information to the East Bayside Neighborhood on a Series of Possible Solutions to the Traffic Congestion on Marginal Way.

General Comments Made on Traffic

- A suggestion was made to reduce traffic in the intersection by shutting off I-295 to be accessible in only one direction, northbound OR southbound, diverting traffic to other nearby intersections.
- A suggestion was made to add an exit ramp northbound of the intersection so that I-295 northbound traffic could get off at Washington Street, as right now this exit is the only way to get to the Hill.
- A suggestion was made to add shuttle services
- Fox Street is dangerous and new development will make it more so
- Fox is becoming a real corridor and there are a lot of kids there, so it is not safe. We do not need more traffic on Fox.
- Pedestrians need to be able to cross more safely at the Bayside Trail, it is now stop and go and not ideal to have more traffic on Franklin.

Comments on Roundabout **See #1 on related Fact Sheet - page 25**



- Would the roundabout fit into the current street space? (No, it would not, it would be bigger. However, it would not impact any buildings.)

- How quickly can people adapt to a roundabout? That would be a concern, as people in Maine are not used to roundabouts.
- This is potentially hazardous in terms of pedestrian safety.
- We need to draw commuter traffic into other parts of the city – look at the city as a whole and provide incentives for traffic to use different routes.
- The traffic is backed up most days at 6:45 am and at 4:30 pm
- Can't we limit the number of cars that come into the city? Put a cap on the number?
- Was new development in Bayside factored into this (Yes.)
- How does traffic here compare to Forest Avenue? *(It is not an apple- to-apples comparison for a number of reasons, but the northbound Forest Ave. peak hour traffic at the State and Marginal intersection is 1528 vehicles; at the Franklin and Marginal intersection it is 1127.)*
- **Summary: Roundabout here is too big and not safe.**

Comments on New Ramps **See #2 on related Fact Sheet - page 25**



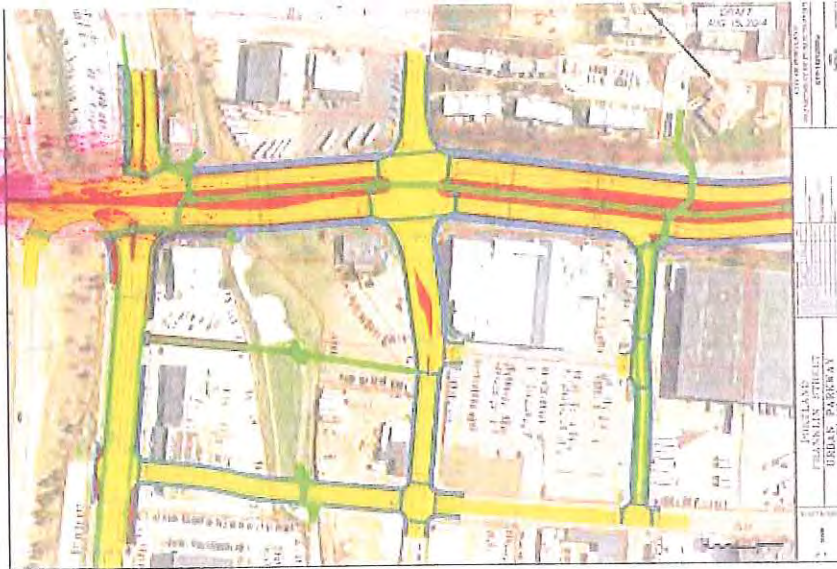
- Generally do not like having all that traffic entering into East Marginal Way and dividing the Park and Ride.
- Marginal Way is already a mess.
- Maybe have all the traffic just turn left off the ramps?
- Does not seem like a good solution.
- **Summary: Not a good solution – too much diversion of traffic**

Comments on Rephasing Signals **See #3 on related Fact Sheet - page 25**

- ***It was noted that this is not enough by itself to solve the problems***
- Question asked if this has already been done to improve traffic flow? The answer was yes, and discussion ensued as to the objective of keeping traffic to a reasonable speed – signals are not supposed to be timed so everyone can hit all the lights green and go fast.
- It was noted that with Franklin Towers at the top of the hill, it would not be a good thing to have drivers traveling very fast through that intersection.
- The city noted that the design speed for the new Franklin will be 25 mph.

- It was noted that the speed on Somerset is slated to be 30 mph and that does not make sense if Franklin is 25 mph. (City staff to look into this.)

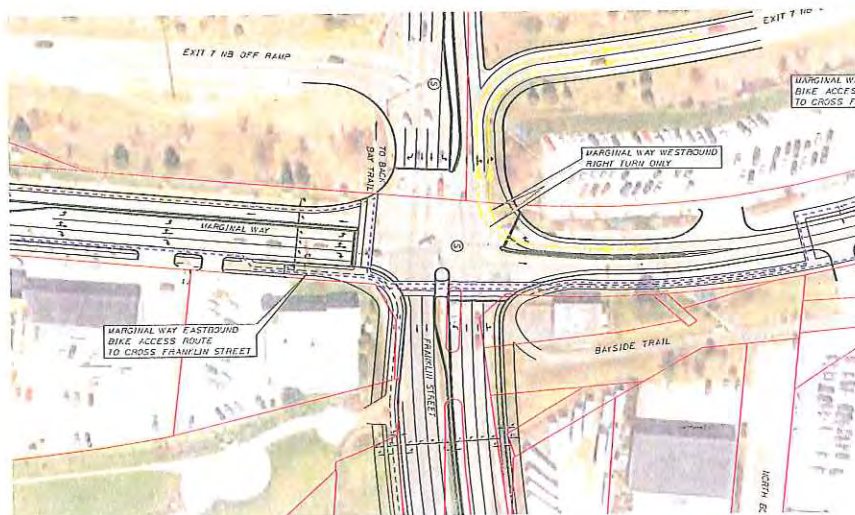
Comments on a Center Median on Franklin Blocking Marginal Way Through-Traffic



See #4 on related Fact Sheet - page 25

- This just moves the pain up the corridor.
- What will this do to all the new development in Bayside? Cuts off East Bayside.
- The traffic should be kept as close to the north-end-of the corridor as possible.
- This is not a safe solution for Bayside or East Bayside
- *Summary: Not a safe or useful solution*

Comments on Restricting Out-Movements from East Marginal Way



See #5 on related Fact Sheet - page 25

Further clarification about this option:

Vehicles, driving west on Marginal Way, from East Bayside will not be able to go straight, or turn left, at the Franklin Street intersection; they will only be able to turn right, to access Rt 295, north or south. Vehicles will still be able to enter East Bayside, turning right or left, from Franklin Street, or heading straight through on Marginal Way from Bayside. However, they must use connecting streets, through the industrial zone, to Fox Street, in order to leave.

- Generally, people disliked this solution the least. But if it is built, there MUST be improvements to Fox St. so people do not treat it as a raceway.
- The corner at Anderson and Washington is not safe now.
- Question about what changes on Fox might look like (*Answer: Not yet designed.*)
- ***Summary: Not wonderful but the best of the solutions as long as safety improvements are made to Fox Street as part of the mix - slowing down traffic and adding pedestrian amenities.***

Comments on Which Cross Street Traffic Should Use?

- Businesses will need to weigh in on this question.
- Diamond has increasing number of pedestrians, but is a loading zone for trucks – right now not safe
- Cove St. has an odd angle into Anderson Street.
- Boyd did not seem to be a popular choice as it is too narrow.
- ***But generally group not sure of best solution, but noted that the more sidewalks, the better in terms of safety and handling more through-traffic safely.***

Franklin Street/Marginal Way Intersection Fact Sheet

- Initial traffic analysis of Franklin Street, as part of the Franklin Street Redesign Study, showed serious problems with the Marginal Way intersection by 2035.
- We know this intersection is already congested during peak travel times and does not function well for bikes and pedestrians either.
- The challenge at the intersection is based partly on high traffic volumes (this is one of the highest traffic volume intersections in the state) and also on the number of conflicts, i.e., vehicles turning in multiple directions and the signal time needed to process them through the traffic movement.
- The below solutions have been analyzed:
 1. *A large-scale (2-3 lane) roundabout in one of two intersections (Marginal Way or Fox/Somerset)*
 2. *Relocating I-295 northbound off-ramps directly onto Marginal Way*
 3. *Retiming and rephasing traffic signals to move more traffic more efficiently on Franklin Street*
 4. *A raised center median on Franklin Street prohibiting through and left-turn access to Marginal Way*
 5. *Restricting left turn and through-movements out of east Marginal Way*
- Here is an overview of what we found:
 1. *A large-scale roundabout in one of two intersections (Marginal Way or Fox/Somerset):* This works from a traffic perspective. Traffic volumes are such that the roundabouts would be three lanes wide in some parts, which would impact adjacent properties and challenge bike and pedestrian safety.
 2. *Relocating the I-295 northbound off-ramps directly onto Marginal Way:* This worked very well to reduce traffic on Franklin but there is concern about the effects on I-295 as a result of shorter ramps: for example, inadequate deceleration and vehicles backed up onto the highway.
 3. *Retiming/rephasing of traffic signals to move more traffic on Franklin Street:* Due to the amount of traffic, this by itself did not make enough difference.
 4. *A raised center median on Franklin Street prohibiting access to Marginal Way:* This worked from a traffic perspective. It impeded access to/from East Marginal Way and diverted the traffic to areas such as the Fox/Somerset intersection).
 5. *Restricting left turn and straight-ahead movements out of East Marginal Way:* All vehicles entering east Marginal Way would get there the same way as now. Vehicles leaving East Marginal Way would still be able to make a right-hand turn to access I-295 north or south, but could not take a left to go up Franklin or continue straight onto West Marginal. Vehicles wanting to travel to another location on the peninsula would be re-routed to Fox Street. The traffic model shows only a small number of people travel in this direction. This works from a traffic perspective.
 6. We want to hear from the businesses, customers and residents in the neighborhood regarding any changes.

**PLEASE JOIN US AT ZERO STATION, 222 ANDERSON STREET+ ON SEPTEMBER 4 AT 5:30 PM TO
HEAR DETAILS AND PROVIDE NEEDED FEEDBACK ON POTENTIAL SOLUTIONS!**



Photo by David A.
Rodgers:motate.com

MORRIS COMMUNICATIONS
PR • Public Involvement • Public Affairs

"Carol is one of the best team members I've ever worked with. She is always there for you, the perfect communications bridge between policy makers and citizens."

Evan Richert
AICP
Community Planner

contact

Carol Morris, President
Morris Communications
12 High Tide Road
Kennebunkport, ME 04046

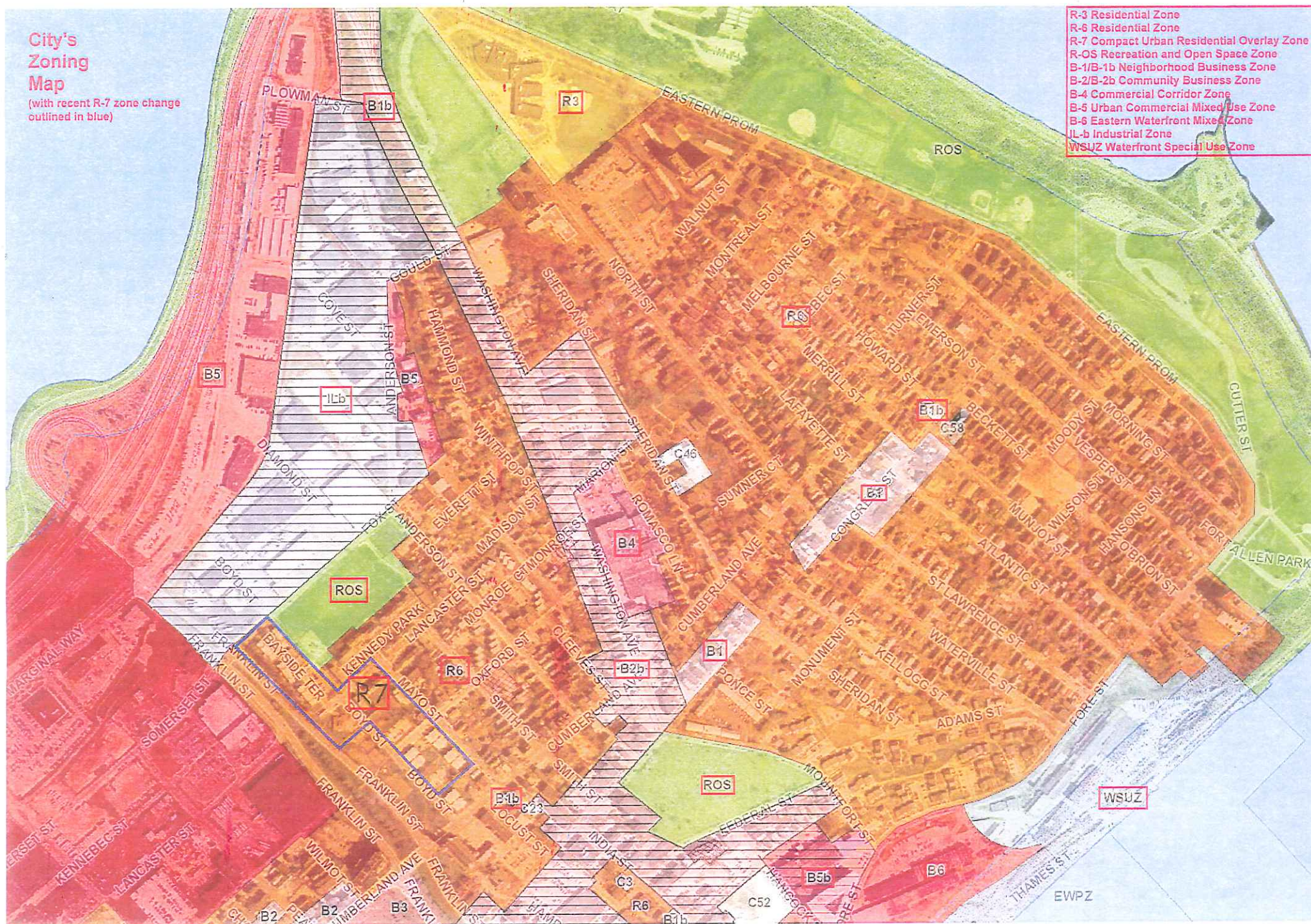
Phone: 207-329-6502
Fax: 207-283-8433

Email: cmorris@morriscomm.net

(with recent R-7 zone change outlined in blue)

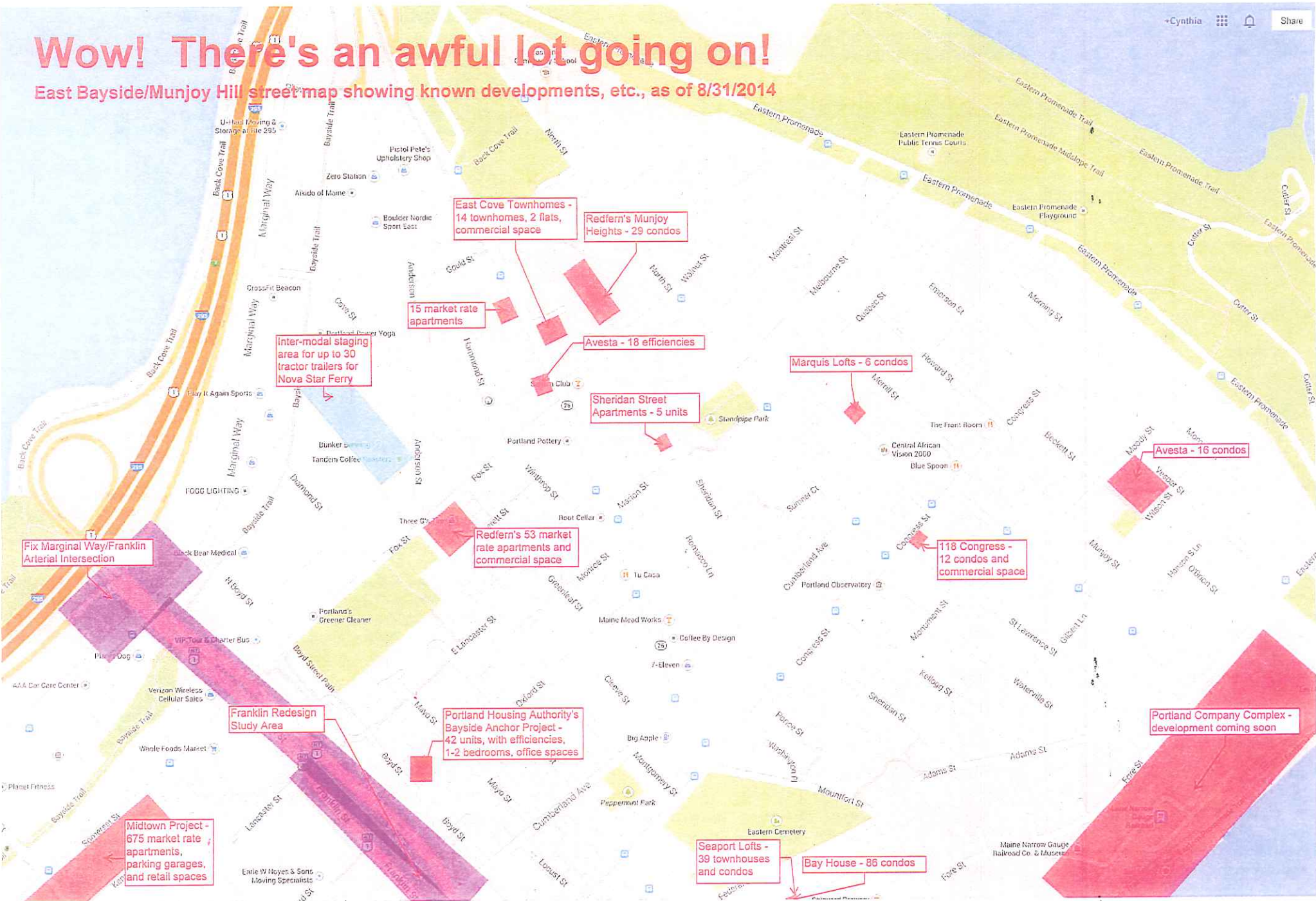
(with recent R-7 zone change outlined in blue)

- R-3 Residential Zone
- R-6 Residential Zone
- R-7 Compact Urban Residential Overlay Zone
- R-OS Recreation and Open Space Zone
- B-1/B-1b Neighborhood Business Zone
- B-2/B-2b Community Business Zone
- B-4 Commercial Corridor Zone
- B-5 Urban Commercial Mixed Use Zone
- B-6 Eastern Waterfront Mixed Zone
- IL-b Industrial Zone
- WSUZ Waterfront Special Use Zone



Wow! There's an awful lot going on!

East Bayside/Munjoy Hill street map showing known developments, etc., as of 8/31/2014



Please note: The map location of the 15 market rate apartments on Washington Avenue is incorrect. It should be located at 192 Washington Avenue, which is further north, past the blocked off Gould Street intersection.

TRAFFIC IMPACT STUDY

FOR

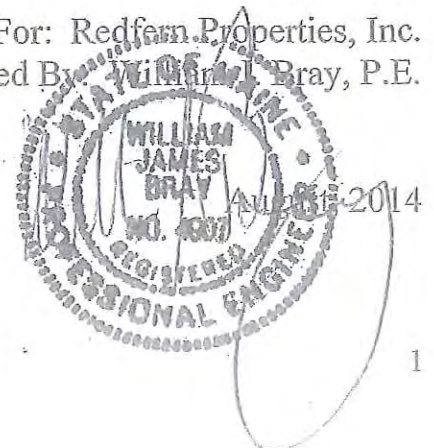
PROPOSED

Includes annotations added by
Cynthia Cochran on 9/11/2014

89 Anderson Street Apartment Complex

Please Note: This study does not address sight-line issues at any of the intersections identified as being impacted by the proposed development. Most specifically, it does not address the sight-line issues at the intersection of Fox/Anderson Streets, which will be created by the location of the building, planned for 89 Anderson Street, and shown on the developer's architectural site drawings.

Prepared For: Redfern Properties, Inc.
Prepared By: William James Bray, P.E.



INTRODUCTION

Redfern Properties, LLC is proposing to construct a 53-unit apartment building on a parcel of property located at 89 Anderson Street. A total of 53 parking spaces will be provided under the cover of the proposed apartment building. Access to the covered parking spaces will be provided through a single entrance located on Everett Street.

The purpose of this study is to examine existing traffic conditions in the general vicinity of the proposed project, estimate the total number of site trips generated by the project, and make a determination as to whether the existing transportation system can safely accommodate the added traffic demand generated by the project.

EXISTING CONDITIONS

Existing Traffic: Manual turning movement counts were conducted at three study area intersections per direction received from the City's Traffic Peer Review Consultant. The intersections included the following locations:

1. Anderson Street @ Fox Street
2. Washington Avenue/Fox Street/Walnut Street
3. Anderson Street @ Cumberland Avenue

All vehicular traffic entering each intersection was recorded in 15-minute intervals between the hours of 7:00 to 9:00 AM and between 3:00 to 6:00 PM (Copies of the field data summary sheets are attached). In addition, both pedestrian and bicycle data was gathered at each location both directionally and time of day. From a summary of the data, it was determined that the morning peak hour occurs between 8:00 and 9:00 AM at each study area location; the PM peak hour falls between 4:30 and 5:30 at each of the locations.

Bicycle and pedestrian volume totals recorded during the vehicular peak hour(s) at each study location are summarized in the following tables:

Bicycle Volumes
(Street Peak Hour)

<u>Intersection/Approach</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
Washington Ave./Walnut St./Fox St.		
- Washington Avenue EB	1	9
- Washington Avenue WB	2	13
- Walnut Street	0	1
- Fox Street	2	2
Anderson St./Fox St.		
- Anderson Street EB	1	6
- Anderson Street WB	3	9
- Fox Street NB	0	11
- Fox Street SB	0	7
Anderson St./Cumberland Ave.		
- Anderson Street	1	0
- Cumberland Avenue NB	2	4
- Cumberland Avenue SB	5	5

Bicycle travel through the study intersections was somewhat moderate during the afternoon peak hour; volumes recorded in the morning peak hour were very low at each of the three study intersections. The highest volume of bicycle trips in the PM peak hour were recorded traveling along the Washington Avenue corridor (22

two-way trips) and a second predominate travel route was along Fox Street with a total two-way volume of 18 trips.

**Pedestrian Volumes
(Street Peak Hour)**

<u>Intersection/Approach</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
Washington Ave./Walnut St./Fox St.		
- Crossing Washington Ave. @ Walnut St.	2	0
- Crossing Washington Ave. @ Fox St.	6	8
- Crossing Walnut St.	5	4
- Crossing Fox St.	4	18
Anderson St./Fox St.		
- Crossing East Anderson St.	9	14
- Crossing West Anderson St.	4	2
- Crossing North Fox St.	12	6
- Crossing South Fox St.	7	9
Anderson St./Cumberland Ave.		
- Crossing Anderson St.	21	29
- Crossing Cumberland Ave. @ Anderson St.	14	30

The volume of pedestrian movements recorded at each of the three study intersections was highest at the Anderson Street/Cumberland Avenue intersection where a total of 35 pedestrian movements were recorded in the morning peak hour and 59 pedestrian movements were recorded in the afternoon peak hour.

Traffic data collected during the months of July and August are generally representative of “peak” travel conditions and further adjustment is not required. Figures 1 and 2 are “*line-diagrams*” presenting “*peak*” hour vehicular traffic volumes for the AM and PM peak hours, respectively, for the study area intersections. [PDF pages 23-24](#)

Existing Safety Trends: The Maine Department of Transportation’s (MaineDOT) Accident Records Section provided the latest three-year (2011 through 2013) crash data for the following roadway segments:

1. Fox Street between Franklin Arterial and Washington Avenue
2. Washington Avenue/Fox Street/Walnut Street intersection
3. Anderson Street between Fox Street and Cumberland Avenue
4. Everett Street between Anderson Street and Greenleaf Street

Their report is summarized as follows and attached as an appendix to the report:

It is not known if increased traffic volumes during athletic events on Fox Field (Kennedy Park) was included in this assessment.

Additional traffic volume due to the redesign of the Franklin/Marginal Way intersection was not included in this assessment.

Additional traffic volume from East Cove Townhomes development at 145-155 Washington Avenue was not included in this assessment.

Additional traffic volume from development at 192 Washington Avenue was not included in this assessment.

See "Future Traffic" section PDF page 5 below

2011 -2013 Traffic Accident Summary

<u>Location</u>	<u>Total Crashes</u>	<u>Critical Rate Factor</u>
1. Fox Street @ Franklin Arterial	20	0.58
2. Fox Street and N. Boyd Street	3	1.03
3. Fox Street @ Diamond Street	1	0.34
4. Fox Street @ Anderson Street	2	0.73
5. Fox Street @ Greenleaf Street	2	0.98
6. Fox Street @ Winthrop Street	2	1.06
7. Washington Avenue/Fox Street/Walnut Street	9	1.98
8. Fox Street btw. Cove Street and Greenleaf Street	1	0.54
9. Fox Street btw. Winthrop Street and Washington Avenue	1	0.48
10. Anderson Street @ Madison Street	1	4.63
11. Anderson Street @ Oxford Street	1	4.09
12. Anderson Street @ Cumberland Avenue	2	0.71
13. Anderson Street btw. Fox Street and Everett Street	1	4.42
14. Anderson Street btw. E. Lancaster Street and E. Oxford Street	4	16.00
15. Anderson Street btw. E. Oxford Street and Cumberland Avenue	4	11.44

The MaineDOT considers any roadway intersection or segment a high crash location if both of the following criteria are met:

- *8 or more accidents*
- *A Critical Rate Factor greater than 1.00*

As the data presented in the table shows (location highlighted in yellow), the Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT's criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report).

The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) Four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) A total of three collisions involved vehicles approaching Washington Avenue from the Walnut Street approach sliding through the intersection and striking a thru vehicle on Washington Avenue.

Implementation of one or more of the suggested remediation measures should help reduce the frequency of traffic crashes occurring at this "off-set" intersection:

- Utilization of an anti-icing agent on the full length of Walnut Street would potentially reduce vehicle skidding problems on Walnut Street.
- Alternatively, or in conjunction with utilization of the anti-icing agent, the City may want to consider closure of Walnut Street at North Street during periods of severe winter road conditions using a remotely operated flashing "Street Closed" beacon placed at the top of the Walnut Street "hill".
- Replace and/or update existing pedestrian crossing equipment (equipment presently inoperative) at both existing Washington Avenue crosswalks to improve safety of pedestrians crossing "busy" Washington Avenue.

In addition to the aforementioned recommendations, preliminary evaluation was given to full traffic signalization of the intersection: however, present intersection traffic volumes and/or other factors do not appear to satisfy the warrants for traffic signals. See PDF pages 49-52

SITE TRAFFIC

Site Trip Generation: The eighth edition of the Institute of Transportation Engineers (ITE) “TRIP GENERATION” manual was used to determine the volume of site traffic generated by the proposed 53-unit residential apartment complex project. The ITE publication provides numerous land-use categories and the average volume of trips that are generated by each category. The following trip rates were used to calculate the trip generation of the proposed project:

Land Use #220 - Apartment

AM Peak Hour = 0.51 trips per occupied unit

PM Peak Hour = 0.62 trips per occupied unit.

Accordingly, the proposed 53-unit apartment complex can be expected to generate a total of 27 trips in the morning peak hour and 33 trips during the afternoon peak hour.

Site Trip Distribution: The Institute of Transportation Engineers handbook provides the following directional distribution rates for an apartment unit during the AM and PM peak hours:

AM Peak Hour = 20% enter site and 80% exit site

PM Peak Hour = 65% enter site and 35% exit site

Based upon the noted directional distribution patterns, 22 trips during the morning peak hour and 12 trips in the evening peak hour will exit the site and the remaining trips (5 AM trips and 21 PM trips) during both peak time periods will enter the site.

Site Trip Assignment: Vehicle trips generated by the proposed project were assigned through the three study intersections on the basis of existing travel patterns and the Consultants knowledge of travel patterns in the City of Portland. Figures 3 and 4 graphically depict the assignment for both peak commuter time periods. PDF pages 25-26

FUTURE TRAFFIC

Other Development Traffic: Traffic generated by projects that have been approved by the Local Planning Board and/or the Maine Department of Transportation, yet are not opened, must be included in the estimate of pre-development traffic. At the direction of the City’s Development Review Services Manager, trips generated by the following projects were appropriately added to the base travel conditions at the site driveway intersections.

- Washington Avenue Efficiencies
- PHA Bayside Anchor Project
- Munjoy Heights
- Intermodal “Staging” Area

See comments on PDF page 3 above

Figures 5 and 6 illustratively present the Other Development traffic assignment for the study intersections. PDF pages 27-28

2014 Pre-Development Traffic: The 2014 Pre-Development traffic forecasts were prepared for the study intersections by combining the 2014 Design Hour traffic volumes shown on Figures 1 and 2 with the Other Development traffic values displayed on Figures 5 and 6. Figures 7 and 8 present the 2014 pre-development traffic forecasts at each of the three study intersections. PDF pages 29-30

2014 Post-Development Traffic: Estimated 2014 Pre-Development traffic forecasts prepared for the study intersections, as depicted on Figures 7 and 8, were combined with the site traffic projections highlighted on Figures 3 and 4 to create estimated 2014 Post-Development traffic forecasts for the study intersections. Figures 9 (AM Peak Hour) and 10 (PM Peak Hour) are line diagrams that present the estimated 2014 Post-Development traffic conditions for the study intersections. **PDF pages 31-32**
See comments at PDF page 3 above

MOBILITY ANALYSIS

Capacity analyses of both 2014 Pre and Post-Development traffic conditions were performed for each of the three study intersections utilizing the Synchro and SimTraffic computer models. Levels of Service rankings are similar to the academic grading system, where an "A" is very good with little delay and "F" represents very poor conditions.

The following table summarizes the relationship between delay and Level of Service for an unsignalized intersection:

Level of Service Criteria for Unsignalized Intersections

<u>Level of Service</u>	<u>Total Control Delay (sec/veh)</u>
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The result of the capacity analysis is presented in the following table:

Level of Service Summary 2014 Pre and Post-Development Conditions

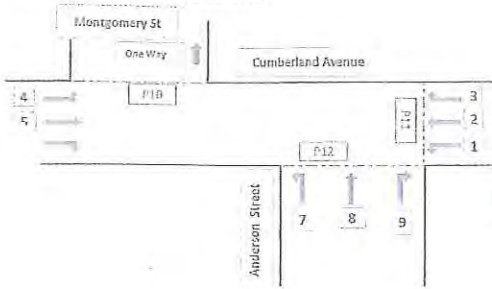
<u>Intersection/Approach</u>	<u>2014 Pre-Development</u>				<u>2014 Post-Development</u>			
	<u>AM Peak Hour</u>		<u>PM Peak Hour</u>		<u>AM Peak Hour</u>		<u>PM Peak Hour</u>	
	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>	<u>Delay (sec.)</u>	<u>LOS</u>
1. Washington Ave./ Walnut St./Fox St.								
- Washington Ave. EB	1 sec.	A	2 sec.	A	1 sec.	A	2 sec.	A
- Washington Ave. WB	1 sec.	A	4 sec.	A	4 sec.	A	4 sec.	A
- Walnut St.	13 sec.	B	16 sec.	C	15 sec.	B	17 sec.	C
- Fox St.	11 sec.	B	27 sec.	D	13 sec.	B	27 sec.	D
2. Fox St. @ Anderson St.								
- Anderson St. EB	5 sec.	A	5 sec.	A	5 sec.	A	5 sec.	A
- Anderson St. WB	6 sec.	A	6 sec.	A	6 sec.	A	6 sec.	A
- Fox St. NB	6 sec.	A	7 sec.	A	6 sec.	A	7 sec.	A
- Fox St. SB	6 sec.	A	7 sec.	A	7 sec.	A	7 sec.	A
3. Anderson St. @ Cumberland Ave.								
- Anderson St.	4 sec.	A	3 sec.	A	4 sec.	A	3 sec.	A
- Cumberland Ave. NB	1 sec.	A	1 sec.	A	1 sec.	A	1 sec.	A
- Cumberland Ave. SB	1 sec.	A	1 sec.	A	1 sec.	A	1 sec.	A

As presented in the chart above, the proposed project has no measurable impact on traffic operations at any of the three study intersections. Each intersection was found to operate at acceptable levels of service under both pre-development and post-development conditions.

SUMMARY

1. The proposed 53-unit apartment complex can be expected to generate a total of 27 vehicle trips during the AM peak hour and a slight increase of 33 trips in the afternoon peak hour. Twenty-two (22) trips during the morning peak hour and 12 trips in the evening peak hour will exit the site and the remaining trips (5 AM trips and 21 PM trips) during both peak time periods will enter the site.
2. MaineDOT's Traffic Safety Bureau's latest three-year safety report for the identified portions of Washington Avenue, Fox Street, and Anderson Street shows that all roadway segments and intersections, with the exception of the Washington Avenue/Fox Street/Walnut Street intersection, experience fewer traffic crashes than the threshold criteria for identification of a high crash location. The noted traffic intersection, based upon the most recent three-year data, meets both of MaineDOT's criteria for identification of a high crash location. A total of 9 vehicle crashes were reported at the intersection during the study time period and the Critical Rate Factor, which compares operations at the intersection with a statewide average for similar locations, exceeds 1.00 at 1.98. Detailed vehicle collision diagrams were prepared for each of the reported 9 vehicle crashes to determine if a correctable pattern of vehicle crash is occurring at the intersection. The detailed analysis identified two crash patterns; four "angle" collisions involving vehicles entering Washington Avenue from Fox Street being struck by motorists traveling eastbound on Washington Avenue. The second pattern involved three crashes that resulted from vehicles approaching Washington Avenue on Walnut Street skidding, during inclement weather, into thru vehicles traveling west on Washington Avenue.
3. It would appear that all modes of transportation would benefit from full traffic signalization of the Washington Avenue/Fox Street/Walnut Street intersection; an abbreviated preliminary assessment of existing travel conditions was conducted and it was determined that prevailing traffic conditions at the noted intersection do not appear to meet the minimum travel conditions required for traffic signalization (Copy of abbreviated traffic signal warrant study is attached as an appendix to the report). The City may want to monitor traffic conditions on an annual basis to determine if prevailing conditions change meeting one or more of the warrants for traffic signalization. This report does identify three improvement strategies that, with implementation, should improve overall safety at the intersection, they include the following:
 - Utilization of an anti-icing agent on the full length of Walnut Street would potentially reduce vehicle skidding problems on Walnut Street.
 - Alternatively, or in conjunction with utilization of the anti-icing agent, the City may want to consider closure of Walnut Street at North Street during periods of severe winter road conditions using a remotely operated flashing "*Street Closed*" beacon placed at the top of the Walnut Street "hill".
 - Replace and/or update existing pedestrian crossing equipment (equipment presently inoperative) at both existing Washington Avenue crosswalks to improve safety of pedestrians crossing "busy" Washington Avenue.
4. The operational analysis conducted for the three study intersections clearly shows that traffic generated by the proposed apartment complex has virtually no impact on traffic operations at any of the three study intersections. Each study intersection was found to operate at acceptable levels of service during both the pre-development and post-development conditions.
5. Pedestrian crosswalk markings and stop bars should be installed at the Anderson Street/Fox Street intersection on all four approaches of the intersection.

INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Cumberland Ave./Anderson St./Montgomery St.
Date: 8/13/14
Day of Week: Wednesday
Weather:
Remarks:

Red = Bicycle Movement
Green = Pedestrian Movement

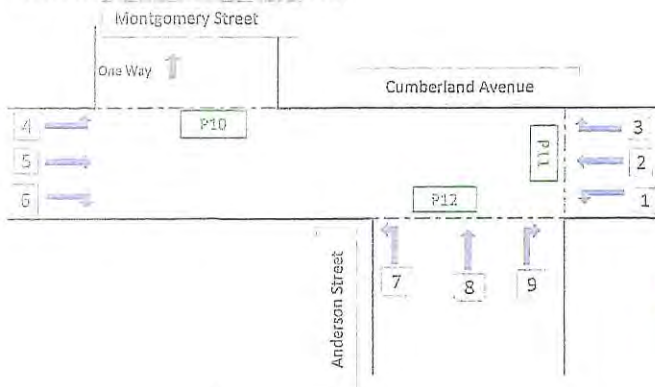
Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P10	P11	P12	C2	C4	C5	C6	C7	C9
7:00	7:15	1	16	0	0	29	0	1	0	3	0	0	0	50	0	0	3	0	1	1	0	0	1
Truck Count		0	1	1	0	1	0	0	0	1	0	0	0	4									
7:15	7:30	0	18	0	0	16	1	2	0	6	0	0	0	43	4	1	4	0	0	0	1	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1									
7:30	7:45	1	13	1	0	25	3	2	0	3	0	0	0	48	4	5	3	0	0	0	0	0	0
Truck Count		0	0	1	0	0	0	0	0	0	0	0	0	1									
7:45	8:00	3	18	1	1	39	0	1	1	3	0	0	0	67	3	3	4	0	0	2	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0									
8:00	8:15	4	28	0	1	54	3	1	0	10	0	0	0	101	7	3	3	0	0	0	0	0	0
Truck Count		0	2	0	0	2	0	0	0	0	0	0	0	4									
8:15	8:30	3	23	0	3	55	1	0	0	11	0	0	0	96	3	3	4	1	0	2	0	0	0
Truck Count		0	0	0	0	3	0	1	0	1	0	0	0	5									
8:30	8:45	1	16	0	1	59	1	0	0	10	0	0	0	88	2	0	9	1	1	2	0	1	0
Truck Count		1	3	0	0	1	0	0	0	1	0	0	0	6									
8:45	9:00	2	32	2	0	38	1	3	0	15	0	0	0	93	5	6	3	0	0	0	0	0	0
Truck Count		0	3	0	0	1	0	0	0	0	0	0	0	4									

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00													
11	107	2	5	213	6	5	0	48	0	0	0	397	

INTERSECTION AN
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Cumberland Ave/Anderson St/Montgomery St
Date: 8/13/14
Day of Week: Wednesday
Weather: _____
Remarks: _____

Red = Bicycle Movement
Green = Pedestrian Movement

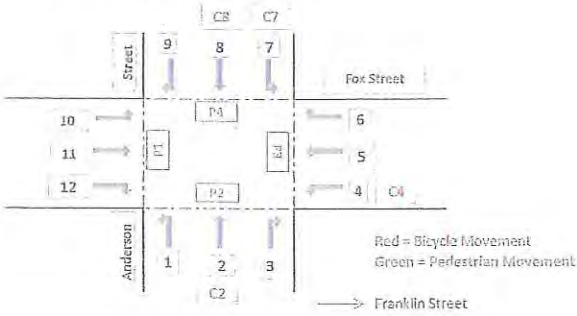
Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P10	P11	P12	C1	C2	C4	C5	C6
3:00	3:15	5	52	0	2	43	1	1	0	11	0	0	0	115	12	7	11	1	1	0	2	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
3:15	3:30	2	46	0	1	38	2	4	0	9	0	0	0	102	10	13	7	0	0	1	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1								
3:30	3:45	4	42	4	1	32	1	1	1	5	0	0	0	91	6	6	7	1	1	0	0	0
Truck Count		1	0	0	1	2	0	0	0	0	0	0	0	4								
3:45	4:00	5	68	2	2	43	3	3	0	13	0	0	0	139	12	5	12	0	0	0	1	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
4:00	4:15	7	40	2	0	28	4	3	0	4	0	0	0	88	3	3	11	0	0	0	0	1
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
4:15	4:30	5	64	0	1	32	3	3	0	11	0	0	0	119	6	8	7	0	1	0	0	0
Truck Count		0	1	0	0	1	0	0	0	0	0	0	0	2								
4:30	4:45	8	60	2	0	61	2	3	1	11	0	0	0	148	20	3	7	0	1	0	2	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1								
4:45	5:00	3	67	3	0	60	2	5	1	10	0	0	0	151	10	19	14	0	1	0	1	2
Truck Count		0	2	0	0	2	0	0	0	0	0	0	0	4								
5:00	5:15	2	76	1	3	48	1	1	1	14	0	0	0	147	5	5	2	0	1	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
5:15	5:30	7	117	4	2	80	4	6	0	13	0	0	0	233	4	2	8	0	1	0	0	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								
5:30	5:45	5	89	1	0	46	3	1	0	7	0	0	0	152	3	2	1	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
5:45	6:00	2	78	2	1	47	4	3	0	12	0	0	0	149	2	6	2	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								

PEAK HOUR COUNT

PEAK HOUR COUNT							TIME: 4:30		TO: 5:30			
20	323	10	5	252	9	15	3	48	0	0	0	685

INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Fox Street/Anderson Street
Date: 8/12/14
Day of Week: Tuesday
Weather: _____
Remarks: _____

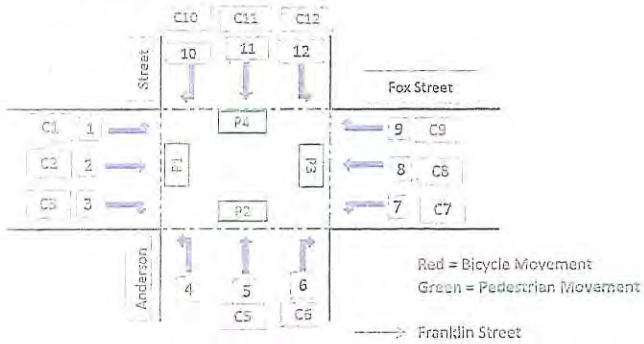
Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C4	C7	C8
7:00	7:15	1	3	8	2	15	3	3	1	0	0	19	6	61	1	1	3	1	0	0	1	0
Truck Count		0	0	1	0	0	0	0	1	0	0	0	0	2								
7:15	7:30	1	1	3	1	12	3	9	3	1	0	25	1	60	1	0	0	2	0	1	0	0
Truck Count		0	0	1	0	0	0	0	0	0	0	0	0	1								
7:30	7:45	6	8	15	1	16	1	7	4	1	0	33	3	95	0	0	0	0	0	0	0	0
Truck Count		0	1	2	0	0	0	0	0	0	0	1	0	4								
7:45	8:00	1	11	17	3	20	7	12	1	0	3	40	1	116	0	0	0	0	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
8:00	8:15	4	9	21	3	18	4	14	2	1	0	39	1	116	4	1	5	3	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0								
8:15	8:30	2	10	17	6	16	11	14	2	0	0	40	3	121	4	0	0	5	0	0	0	0
Truck Count		0	1	2	0	0	0	0	0	0	0	0	0	3								
8:30	8:45	3	12	35	3	20	8	20	0	1	1	29	2	134	4	3	0	0	1	0	0	0
Truck Count		0	0	2	0	1	0	0	0	0	1	1	0	5								
8:45	9:00	7	21	22	1	21	8	13	6	2	1	32	0	134	0	0	2	1	0	0	1	1
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1								

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00											
16	53	99	13	77	31	61	10	4	3	141	514

INTERSECTION
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Fox Street/Anderson Street
Date: 8/12/14
Day of Week: Tuesday
Weather: _____
Remarks: _____

Count Summary Movement

Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P7	P8	P9	P4	C1	C2	C3	C5	C6	C7	C8	C9	C10	C11	C12
3:00	3:15	1	27	2	3	6	14	4	34	12	2	9	12	126	2	0	0	1	2	3	0	1	1	0	2	0	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
3:15	3:30	0	27	2	11	10	21	8	28	13	1	5	9	135	2	1	2	2	0	0	0	1	1	0	0	0	0	2	4
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
3:30	3:45	0	28	5	6	9	16	10	31	15	2	7	17	146	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0
Truck Count		0	1	0	0	0	1	0	1	0	0	0	0	3															
3:45	4:00	1	36	3	6	8	13	5	29	18	3	4	10	136	3	2	2	0	0	2	0	0	0	1	1	0	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1															
4:00	4:15	3	26	0	6	11	16	9	34	15	1	4	10	135	1	1	0	3	0	0	0	0	1	2	0	0	0	0	0
Truck Count		0	0	0	1	0	1	0	0	0	0	0	0	2															
4:15	4:30	1	26	4	5	14	9	10	41	16	2	5	12	145	0	0	2	2	0	0	0	0	0	1	0	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
4:30	4:45	2	49	2	6	2	10	9	30	23	3	3	14	153	2	0	1	2	0	0	0	0	5	3	2	0	0	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
4:45	5:00	3	40	5	4	9	21	8	45	20	3	9	11	178	1	0	3	5	0	0	1	0	2	0	1	0	0	3	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:00	5:15	2	34	2	5	6	17	7	38	18	4	2	17	152	2	1	0	3	0	2	1	0	1	0	0	0	1	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:15	5:30	3	35	1	9	14	22	9	49	18	0	5	17	182	1	1	6	4	0	1	2	0	1	5	0	0	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0															
5:30	5:45	1	27	3	5	7	17	8	40	15	5	2	12	142	3	5	1	2	0	1	0	1	1	0	2	1	0	1	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															
5:45	6:00	1	30	1	3	9	13	4	46	12	0	0	17	136	3	1	0	6	1	1	0	1	2	1	0	0	0	0	0
Truck Count		0	0	0	0	0	1	0	0	0	0	0	0	1															

PEAK HOUR COUNT

PEAK HOUR COUNT								TIME:	4:30	TO:	5:30	
10	158	10	24	31	70	33	162	79	10	19	59	665

**INTERSECTION PLAN
WITH NUMBERED MOVEMENTS:**



Portland
 Intersection: Washington Ave./Fox St./Walnut St.
 Date: 8/14/14
 Day of Week: Thursday
 Weather: _____
 Remarks: Construction

Count Summary Movement

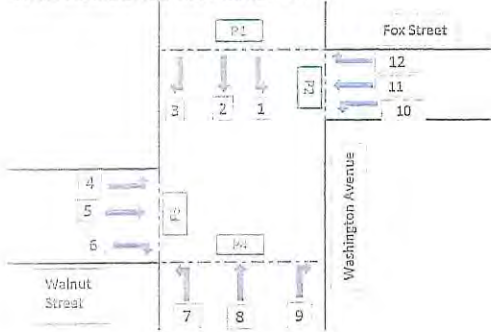
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C2	C8	C11	C12
7:00	7:15	7	24	1	2	6	3	6	74	1	5	7	5	141	1	1	2	0	0	0	0	
Truck Count		0	1	0	0	0	0	1	6	0	0	0	0	8								
7:15	7:30	3	26	1	1	10	5	6	78	3	10	10	5	158	0	0	1	0	0	0	0	
Truck Count		1	2	0	0	0	0	0	4	0	0	0	0	7								
7:30	7:45	9	36	2	4	14	4	2	85	12	1	5	9	183	0	1	0	1	0	0	0	
Truck Count		0	5	0	1	0	0	0	3	0	0	0	0	9								
7:45	8:00	10	47	2	2	11	6	3	142	8	7	2	11	251	0	1	3	2	0	0	0	
Truck Count		1	1	0	0	0	0	0	4	0	0	0	0	6								
8:00	8:15	10	39	2	3	11	9	2	159	19	10	4	9	277	4	1	1	1	1	0	0	
Truck Count		0	3	0	0	0	0	0	1	0	0	0	0	4								
8:15	8:30	19	43	2	5	16	10	4	126	8	8	1	11	253	1	2	3	1	0	0	0	
Truck Count		0	2	0	1	0	0	1	7	0	0	0	2	13								
8:30	8:45	15	40	2	1	13	2	2	114	9	8	2	15	223	1	0	1	0	0	1	0	
Truck Count		0	2	0	0	0	0	0	1	1	1	0	0	5								
8:45	9:00	16	60	6	2	21	6	2	117	7	9	2	15	263	0	1	0	0	0	1	1	
Truck Count		0	2	1	0	0	0	0	5	2	0	0	0	10								

PEAK HOUR COUNT

TIME: 8:00 TO: 9:00

60	191	13	12	61	27	11	530	46	36	9	52	1,048
----	-----	----	----	----	----	----	-----	----	----	---	----	-------

INTERSECTION
WITH NUMBERED MOVEMENTS:



Portland
Intersection: Washington Ave./Fox St./Walnut St.
Date: 8/14/14
Day of Week: Thursday
Weather:
Remarks:

Count Summary Movement

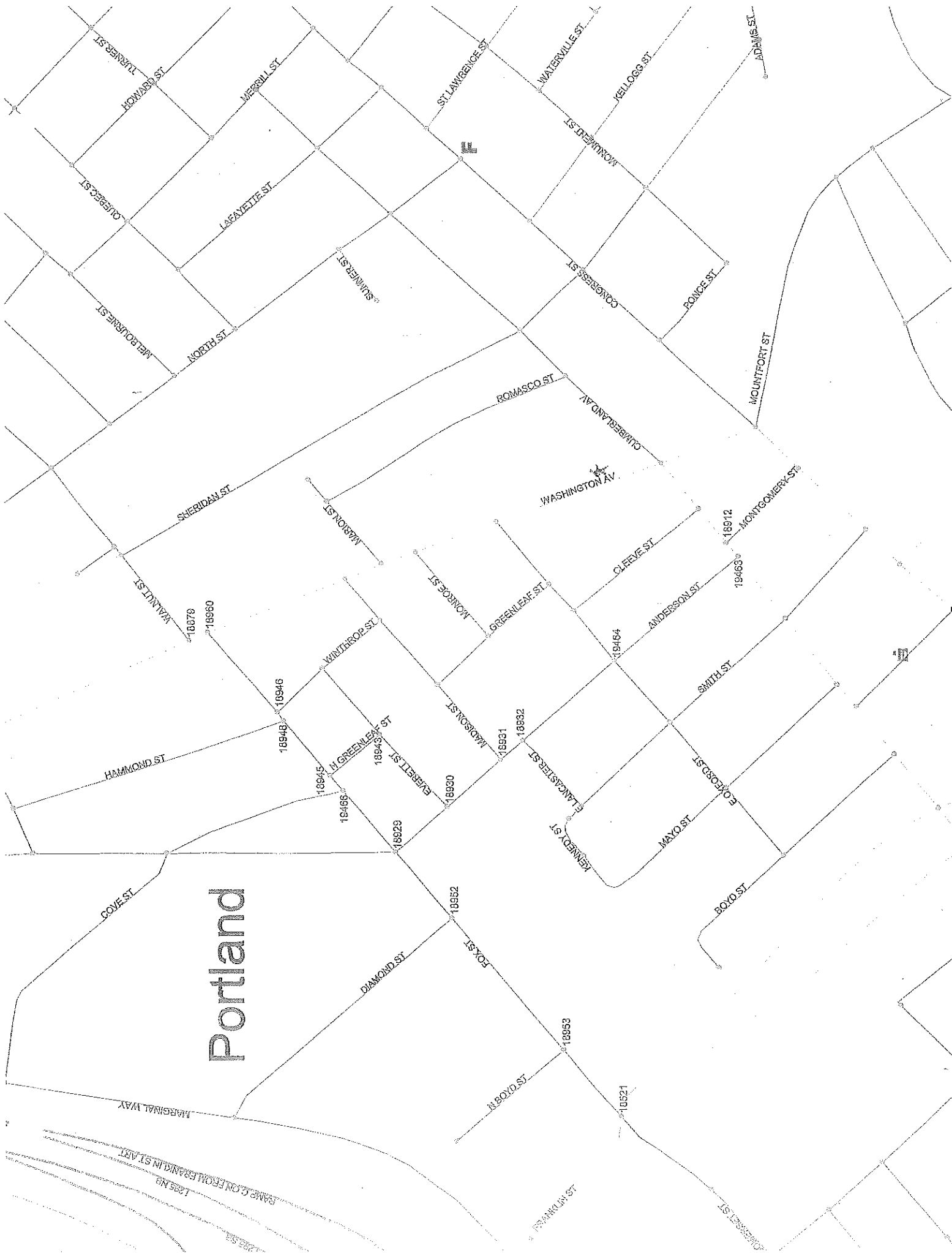
Start	End	1	2	3	4	5	6	7	8	9	10	11	12	Total	P1	P2	P3	P4	C1	C2	C4	C6	C8	C9	C11	C12
3:00	3:15	20	83	4	0	8	3	10	63	19	5	11	10	236	4	1	3	0	0	2	1	0	1	0	1	0
Truck Count		0	0	0	0	0	0	0	2	0	1	0	0	3												
3:15	3:30	14	57	1	4	9	5	4	58	6	11	15	13	197	0	3	2	1	0	0	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
3:30	3:45	21	110	6	0	13	11	2	66	13	9	22	15	288	3	4	1	0	0	1	1	0	1	0	0	0
Truck Count		0	0	0	1	0	0	0	1	0	0	0	0	2												
3:45	4:00	19	68	3	3	10	0	3	67	8	9	6	8	204	1	4	2	1	0	0	0	0	2	0	0	0
Truck Count		0	0	0	0	1	0	0	0	0	0	0	0	1												
4:00	4:15	36	108	6	0	6	3	5	90	8	15	18	17	312	0	2	0	1	0	1	0	0	0	0	0	0
Truck Count		0	3	0	0	0	0	0	0	0	0	0	0	3												
4:15	4:30	16	104	8	2	15	3	7	76	12	9	17	9	278	1	4	0	0	0	1	0	0	1	0	0	0
Truck Count		0	0	0	0	1	0	0	2	0	0	1	0	4												
4:30	4:45	23	136	7	2	14	11	3	73	19	11	9	16	324	0	3	1	0	0	4	0	0	2	0	0	1
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
4:45	5:00	16	139	4	2	14	9	7	81	6	5	17	23	323	2	3	1	0	0	3	0	1	4	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
5:00	5:15	22	148	8	1	7	3	7	83	6	12	19	8	324	2	3	1	0	1	1	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												
5:15	5:30	15	154	7	2	11	1	9	76	12	15	14	11	327	4	9	1	0	0	4	0	0	1	1	1	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
5:30	5:45	30	130	8	5	13	4	5	93	8	9	21	15	341	1	4	0	1	0	2	0	0	1	0	0	0
Truck Count		0	0	0	0	0	0	0	0	0	0	0	0	0												
5:45	6:00	9	84	3	0	9	3	8	75	9	6	14	7	227	3	2	4	1	1	2	0	0	1	0	0	0
Truck Count		0	1	0	0	0	0	0	0	0	0	0	0	1												

PEAK HOUR COUNT

TIME: 4:30 TO: 5:30

76	579	26	7	46	24	26	313	43	43	59	58	1,300
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Portland



Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I ☐ Section Detail ☒ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

#1

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560293

Start Node: 18521

Start Offset: 0

☐ Exclude First Node

End Node: 18960

End Offset: 0

☐ Exclude Last Node

Route: 0026X

Start Node: 18960

Start Offset: 0

☒ Exclude First Node

End Node: 18879

End Offset: 0

☐ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

			Nodes												
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury A	Crashes B	Percent Annual M C	PD	Injury	Ent-Veh	Crash Rate	Critical Rate	CRF	
18521	0560293 - 0	Int of FOX ST FRANKLIN ST	9	20	0	0	2	8	10	50.0	11.697	0.57	0.99	0.00	
												Statewide Crash Rate:	0.65		
18953	0560293 - 0.06	0509373 POR,N.BOYD,FOX ST.	2	3	0	0	0	0	3	0.0	2.209	0.45	0.44	1.03	
												Statewide Crash Rate:	0.14		
18952	0560293 - 0.16	0509372 POR,FOX,DIAMOND ST.	2	1	0	0	0	0	1	0.0	2.178	0.15	0.44	0.00	
												Statewide Crash Rate:	0.14		
18929	0560293 - 0.21	0509349 POR,ANDERSON,FOX ST.	2	2	0	0	0	0	2	0.0	1.996	0.33	0.45	0.00	
												Statewide Crash Rate:	0.14		
19466	0560293 - 0.25	0509888 POR,FOX STREET,COVE STREET	2	0	0	0	0	0	0	0.0	1.531	0.00	0.48	0.00	
												Statewide Crash Rate:	0.14		
18945	0560293 - 0.26	0509365 POR,FOX,N.GREENLEAF ST.	2	2	0	0	0	1	0	100.0	1.381	0.48	0.49	0.00	
												Statewide Crash Rate:	0.14		
A18948	0560293 - 0.30	0509368 POR,FOX,HAMMOND ST.	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00	
												Statewide Crash Rate:	0.14		
P18946	0560293 - 0.31	0509366 POR,FOX,WINTHROP ST.	2	2	0	0	0	0	2	0.0	1.248	0.53	0.50	1.06	
												Statewide Crash Rate:	0.14		
A18960	0560293 - 0.36	Int of FOX ST WASHINGTON AV	2	0	0	0	0	0	0	0.0	0.000	0.00	0.00	0.00	
												Statewide Crash Rate:	0.14		
P18879	0026X - 0.28	Int of WALNUT ST, WASHINGTON AV	2	9	0	0	0	2	7	22.2	4.034	0.74	0.38	1.98	
												Statewide Crash Rate:	0.14		
Study Years: 3.00				NODE TOTALS:	39	0	0	2	11	25	33.3	26.274	0.49	0.54	0.92

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury Crashes				Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
18521	18953	194034	0 - 0.06	0560293 - 0	0.06	2	0	0	0	0	0	0.0	0.00138	0.00	971.45	0.00	
Int of FOX ST, FRANKLIN ST				RD INV 05 60293										Statewide Crash Rate: 346.84			
18952	18953	194637	0 - 0.10	0560293 - 0.06	0.10	2	0	0	0	0	0	0.0	0.00201	0.00	881.52	0.00	
0509372 POR, FOX, DIAMOND ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18929	18952	194603	0 - 0.05	0560293 - 0.16	0.05	2	0	0	0	0	0	0.0	0.00097	0.00	1064.25	0.00	
0509349 POR, ANDERSON, FOX ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18929	19466	194604	0 - 0.04	0560293 - 0.21	0.04	2	0	0	0	0	0	0.0	0.00061	0.00	1195.29	0.00	
0509349 POR, ANDERSON, FOX ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18945	19466	194628	0 - 0.01	0560293 - 0.25	0.01	2	0	0	0	0	0	0.0	0.00015	0.00	1497.37	0.00	
0509385 POR, FOX, N. GREENLEAF ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18945	18948	194627	0 - 0.04	0560293 - 0.26	0.04	2	1	0	0	0	1	0.0	0.00049	681.12	1258.33	0.00	
0509366 POR, FOX, N. GREENLEAF ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18946	18948	194629	0 - 0.01	0560293 - 0.30	0.01	2	0	0	0	0	0	0.0	0.00012	0.00	1483.19	0.00	
0509366 POR, FOX, WINTHROP ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18946	18960	194630	0 - 0.05	0560293 - 0.31	0.05	2	1	0	0	0	1	0.0	0.00058	575.63	1210.04	0.00	
0509366 POR, FOX, WINTHROP ST.				RD INV 05 60293										Statewide Crash Rate: 346.84			
18879	18960	3123723	0 - 0.01	0026X - 0.27	0.01	2	0	0	0	0	0	0.0	0.00036	0.00	793.55	0.00	
Int of WALNUT ST, WASHINGTON AV				ST RTE 26										Statewide Crash Rate: 186.16			
Study Years: 3.00				Section Totals:		0.37	2	0	0	0	0	2	0.0	0.00666	100.05	648.35	0.15
				Grand Totals:		0.37	41	0	0	2	11	27	31.7	0.00666	2050.99	796.08	2.58

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I ☐ Section Detail ☒ Crash Summary II ☐ 1320 Public ☐ 1320 Private ☐ 1320 Summary

REPORT DESCRIPTION

#3

REPORT PARAMETERS

Year 2011, Start Month 1 through Year 2013 End Month: 12

Route: 0560847	Start Node: 18929 End Node: 19463	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0561238	Start Node: 19463 End Node: 18912	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Nodes														
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury Crashes			PD	Percent Annual M Injury	Ent-Veh	Crash Rate	Critical Rate	CRF
18930	0560847 - 0.53	0509350 POR,ANDERSON,EVERETT ST.	2	0	0	0	0	0	0	0.0	0.159	0.00	0.49	0.00
												Statewide Crash Rate:	0.14	
18931	0560847 - 0.56	0509351 POR,ANDERSON,MADISON ST.	2	1	0	0	0	1	0	100.0	0.153	2.18	0.47	4.63
												Statewide Crash Rate:	0.14	
18932	0560847 - 0.59	0509352 POR,E.LANCASTER,ANDERSON ST.	2	0	0	0	0	0	0	0.0	0.133	0.00	0.41	0.00
												Statewide Crash Rate:	0.14	
19464	0560847 - 0.65	0509886 POR,ANDERSON ST,E.OXFORD STR.	2	1	0	0	0	0	1	0.0	0.164	2.03	0.50	4.09
												Statewide Crash Rate:	0.14	
19463	0560847 - 0.74	Int of ANDERSON ST CUMBERLAND AV	2	2	0	0	0	0	2	0.0	2.068	0.32	0.45	0.00
												Statewide Crash Rate:	0.14	
Study Years: 3.00			NODE TOTALS:		4	0	0	0	1	3	25.0	2.677	0.50	1.19

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury Crashes				Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
18929	18930	194602	0 - 0.04	0560847 - 0.49	0.04	2	1	0	0	0	0	1	0.0	0.00006	5272.76	1194.07	4.42
0509349 POR,ANDERSON,FOX ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18930	18931	194605	0 - 0.03	0560847 - 0.53	0.03	2	0	0	0	0	0	0	0.0	0.00004	0.00	682.58	0.00
0509350 POR,ANDERSON,EVERETT ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18931	18932	194607	0 - 0.03	0560847 - 0.56	0.03	2	0	0	0	0	0	0	0.0	0.00004	0.00	441.48	0.00
0509351 POR,ANDERSON,MADISON ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
18932	19464	194609	0 - 0.06	0560847 - 0.59	0.06	2	4	0	0	1	0	3	25.0	0.00007	19896.34	1243.30	16.00
0509352 POR,E.LANCASTER,ANDERSON ST.				RD INV 05 60847											Statewide Crash Rate: 346.84		
19463	19464	195146	0 - 0.09	0560847 - 0.65	0.09	2	4	0	0	0	0	2	0.0	0.00008	15854.90	1385.36	11.44
Int of ANDERSON ST CUMBERLAND AV				RD INV 05 60847											Statewide Crash Rate: 346.84		
18912	19463	194577	0 - 0.01	0561238 - 0.98	0.01	2	0	0	0	0	0	0	0.0	0.00020	0.00	785.75	0.00
Int of CUMBERLAND AV, MONTGOMERY ST				RD INV 05 61238											Statewide Crash Rate: 186.16		
Study Years: 3.00					Section Totals:	0.26	9	0	0	1	0	6	11.1	0.00049	6102.75	1070.96	5.70
					Grand Totals:	0.26	13	0	0	1	1	9	15.4	0.00049	8815.08	1357.90	6.49

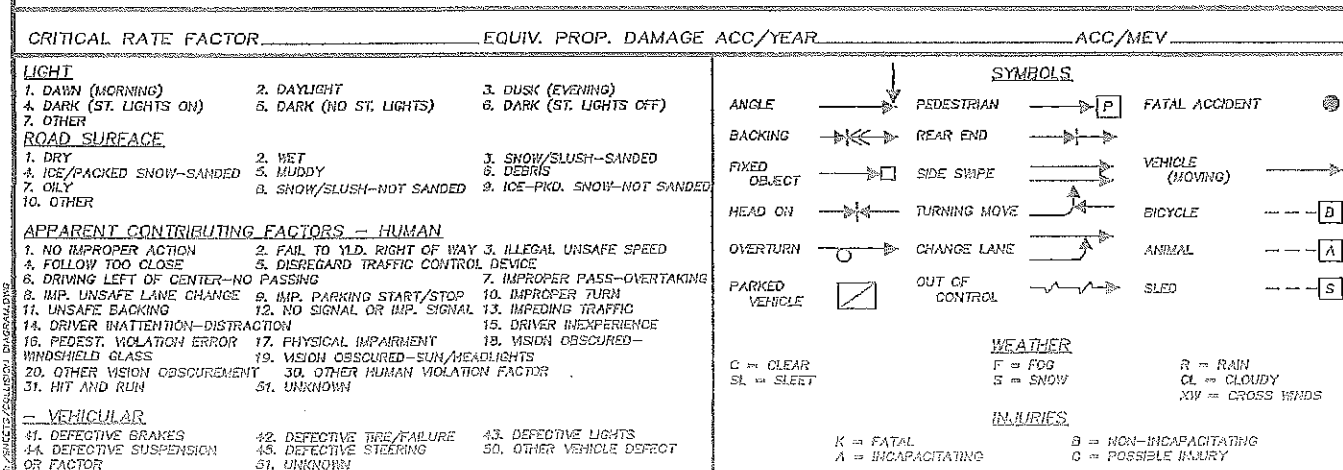
SHEET 1 OF 2

TOWN Port Lano

NODE NO(S) 718879

YEARS REVIEWED 2011-2014

DATE PREPARED 8-23-2014



COLLISION DIAGRAM

SHEET 2 OF 2

LOCATION WASHINGTON AVE. / WALNUT ST. / FOX ST.

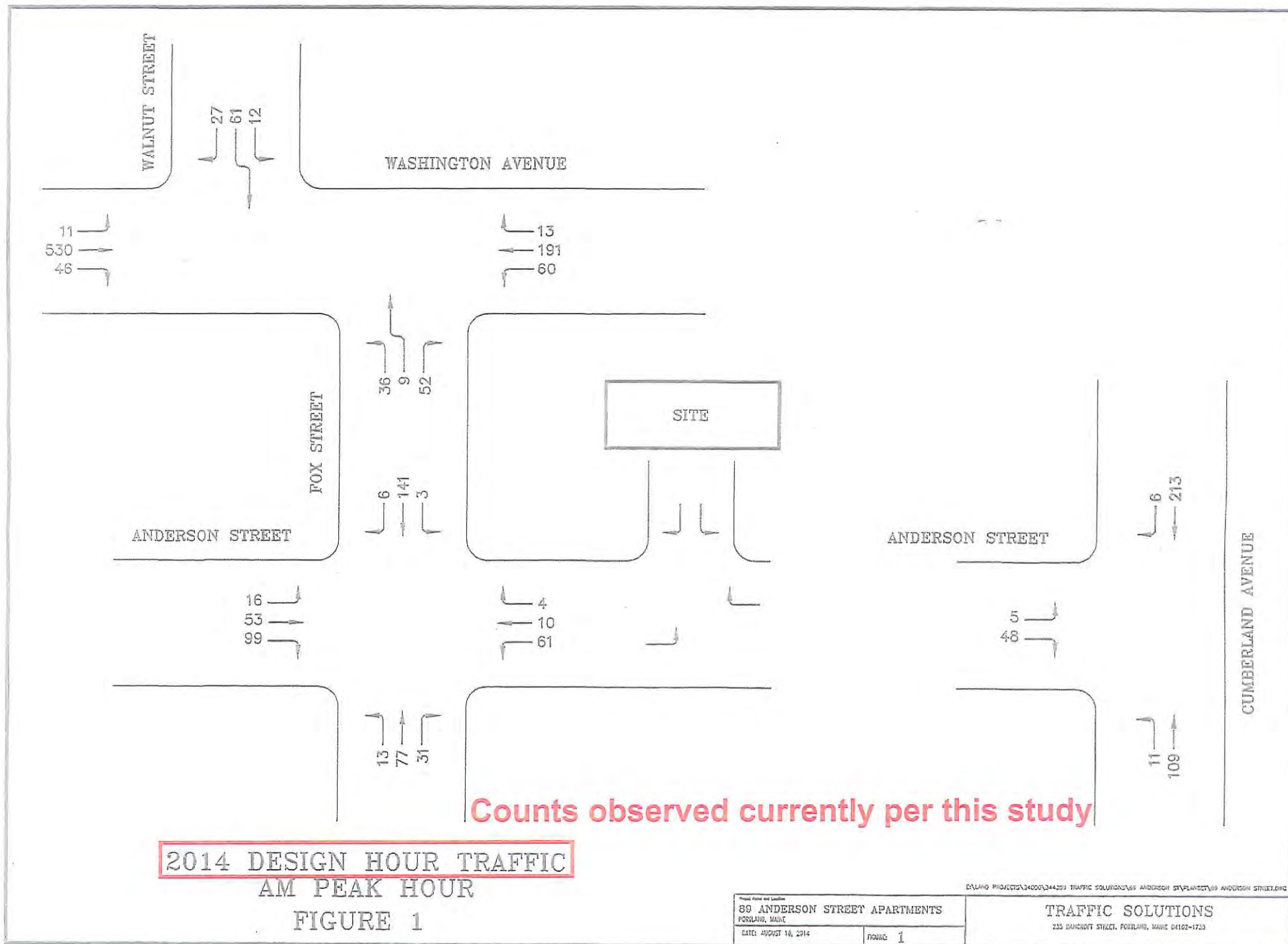
TOWN PORTLAND

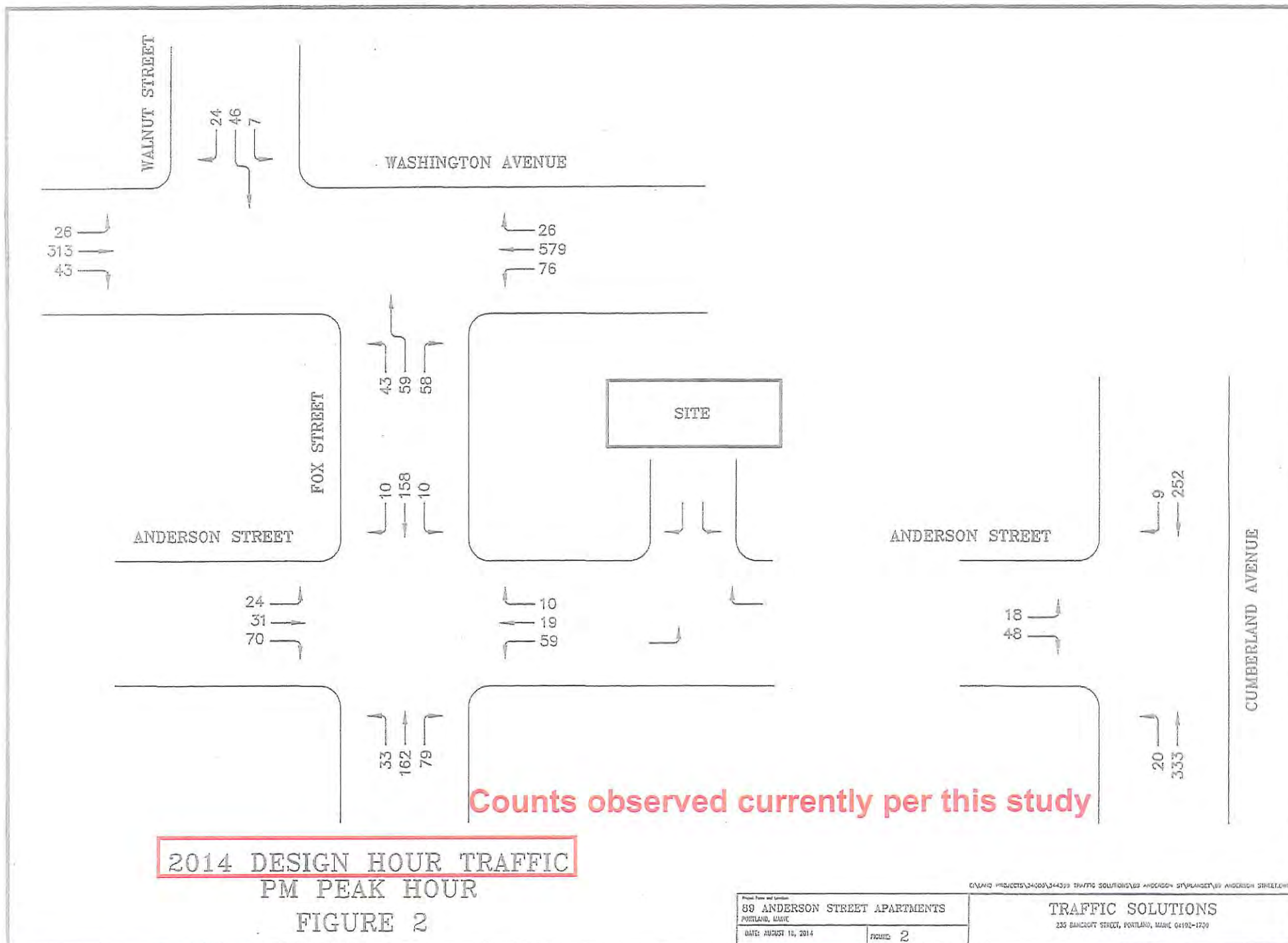
NODE NO(S) Page 79

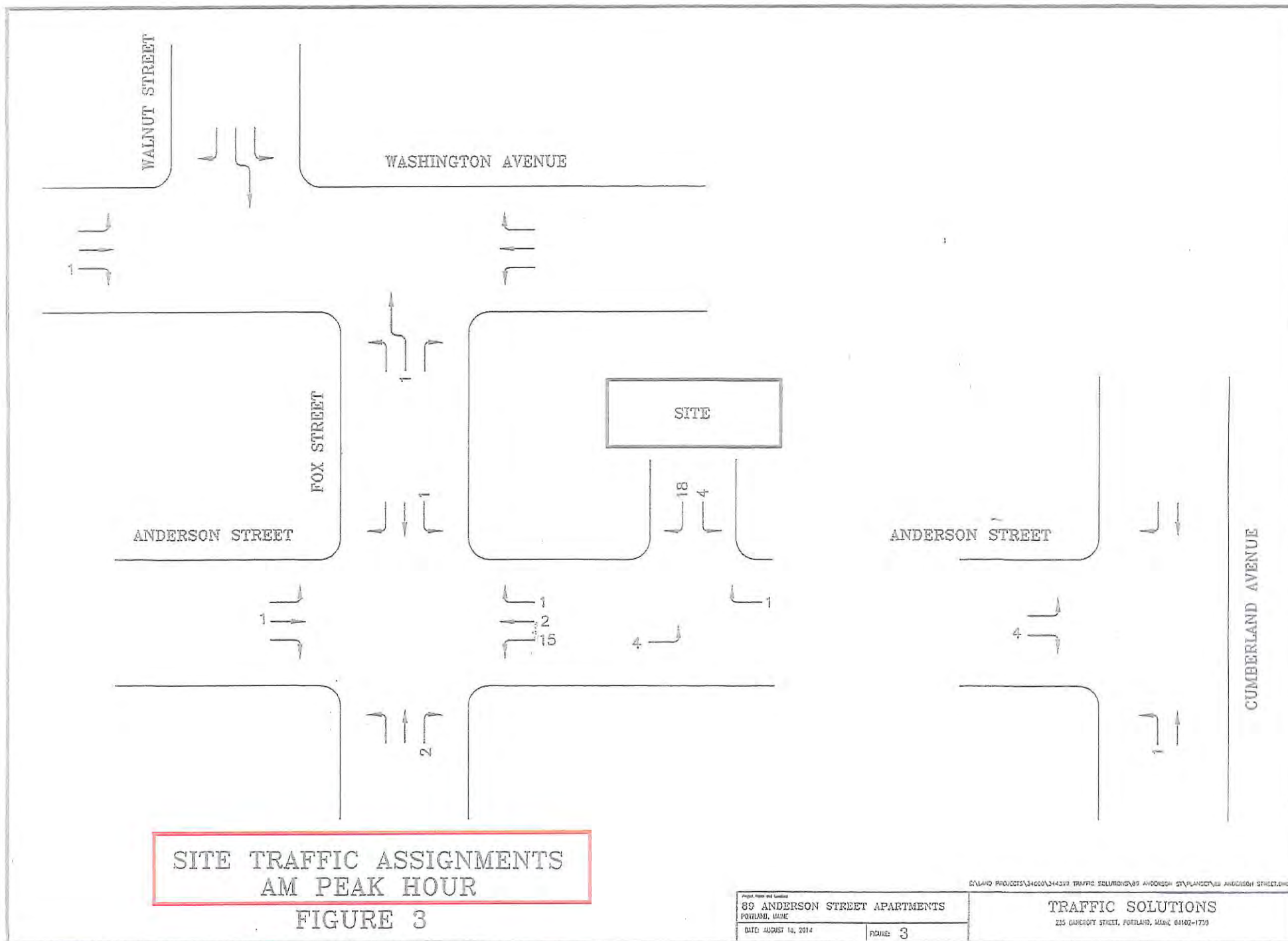
YEARS REVIEWED 2011-2014

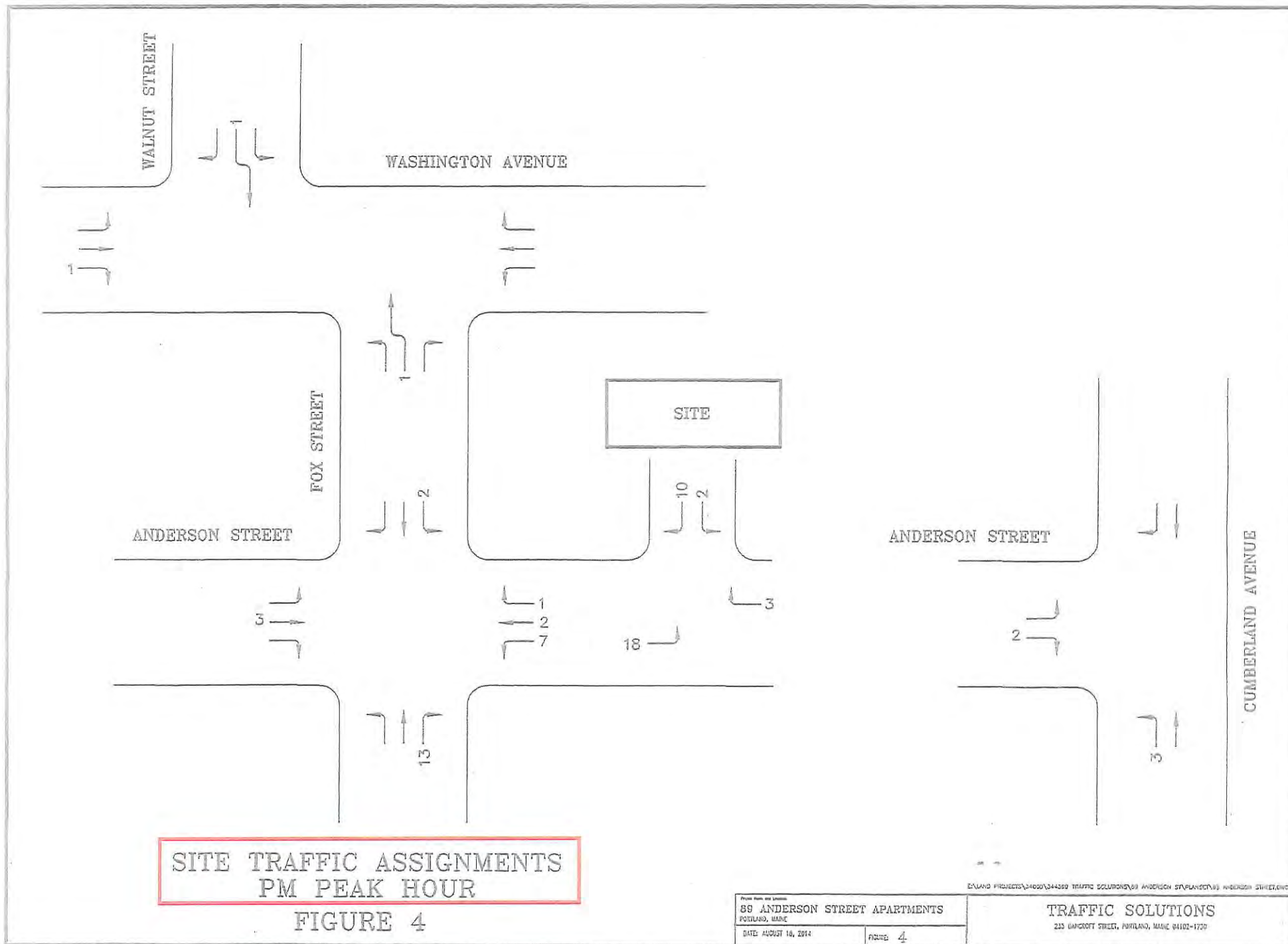
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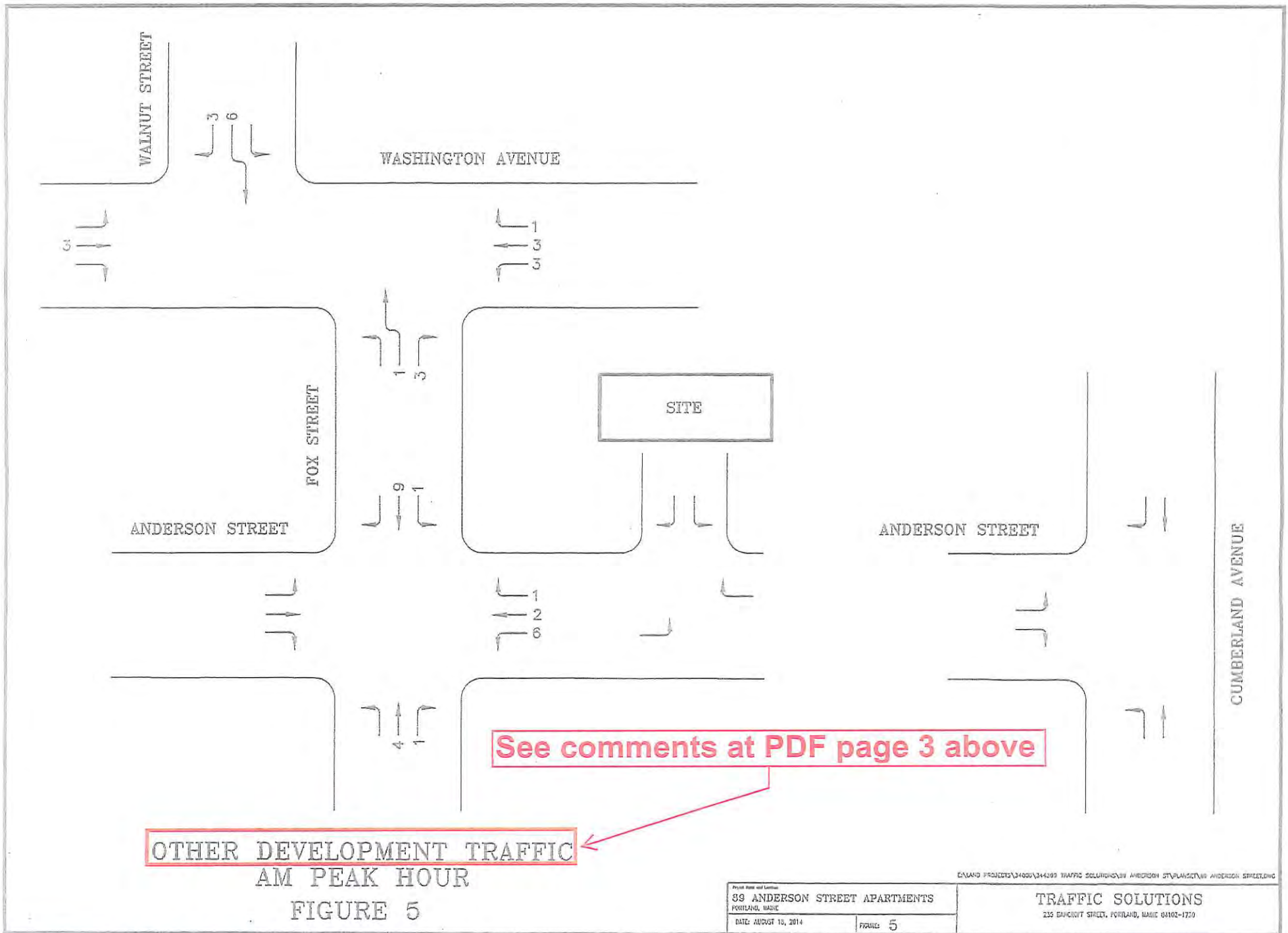
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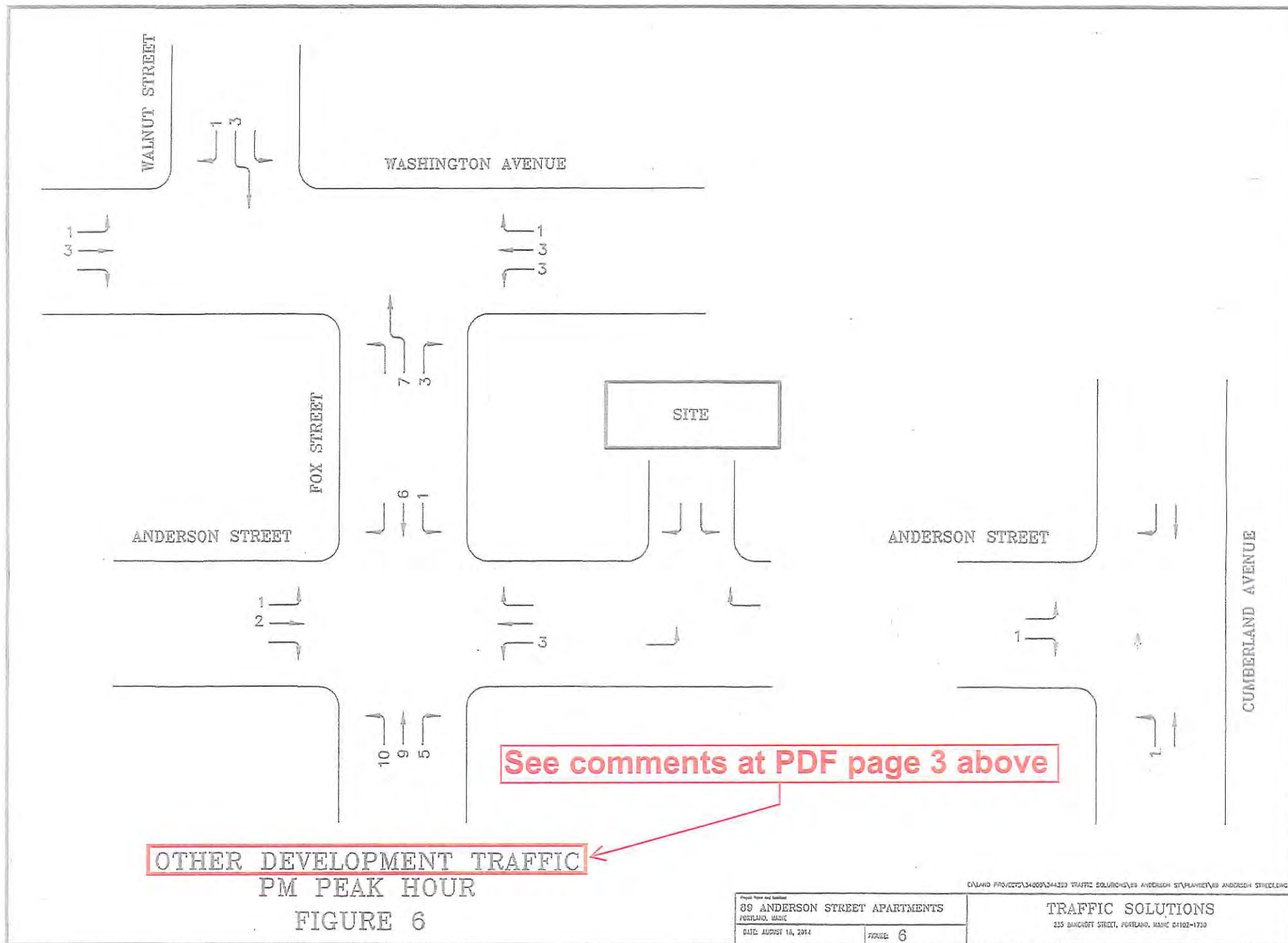


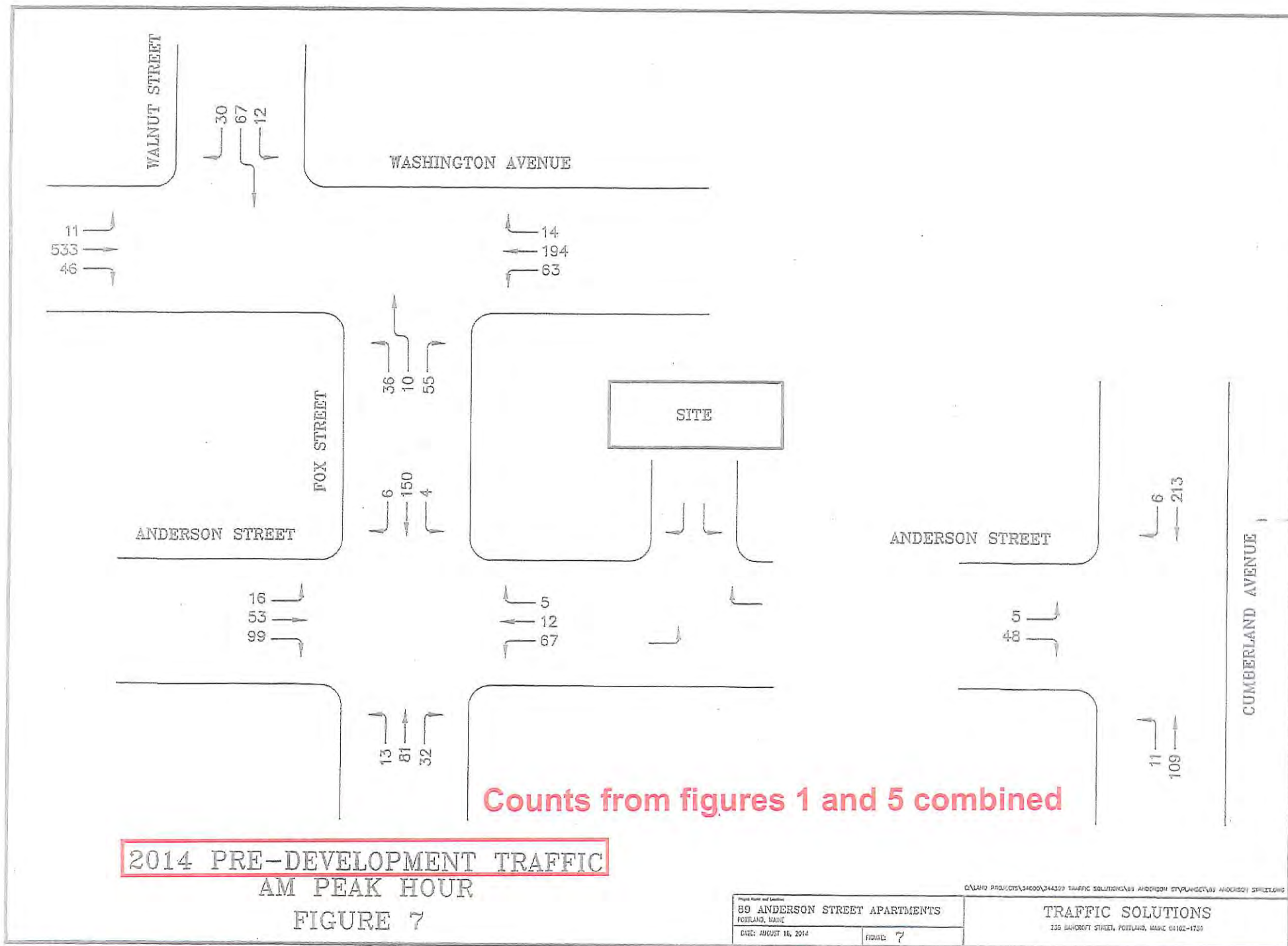


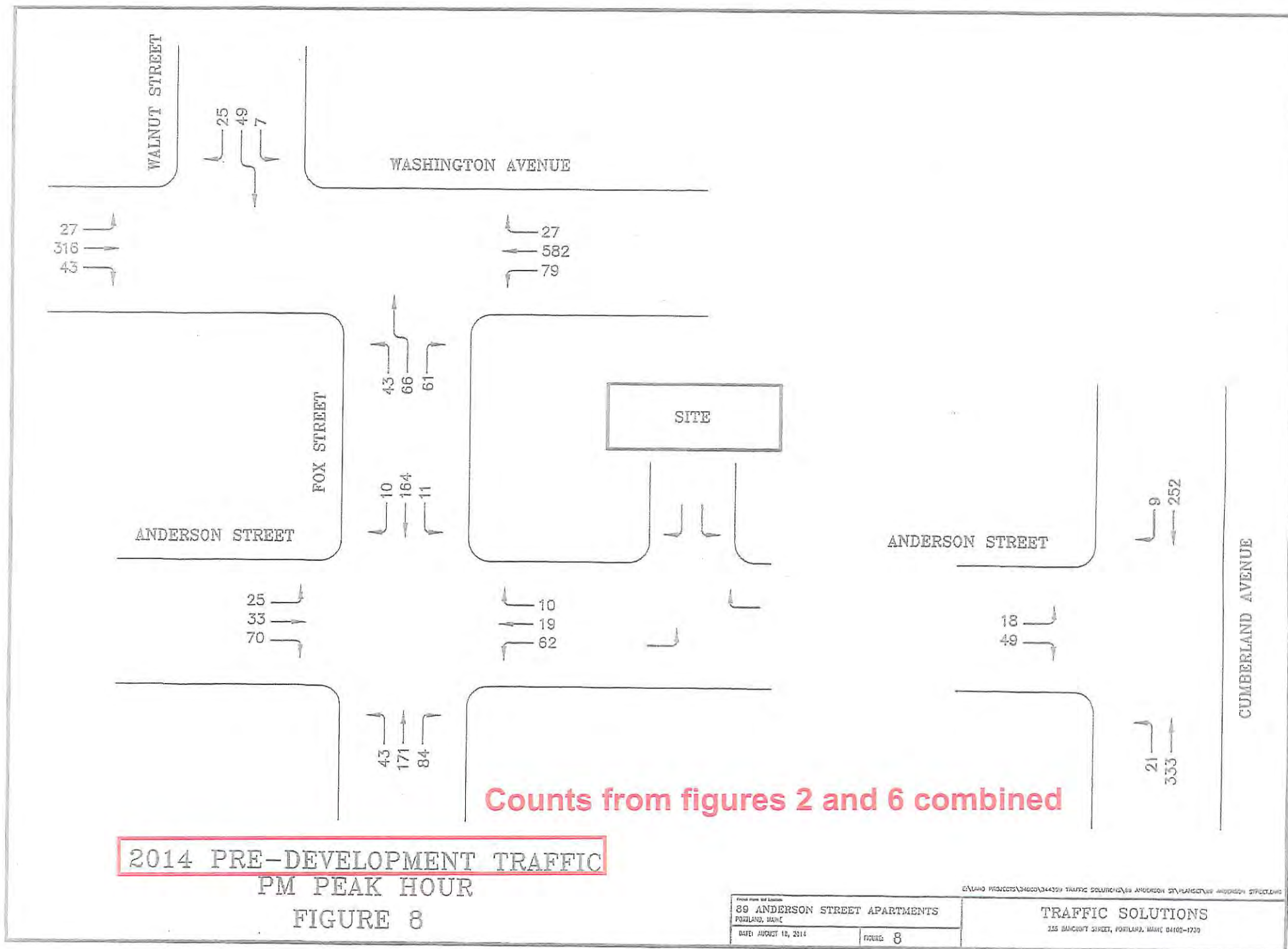


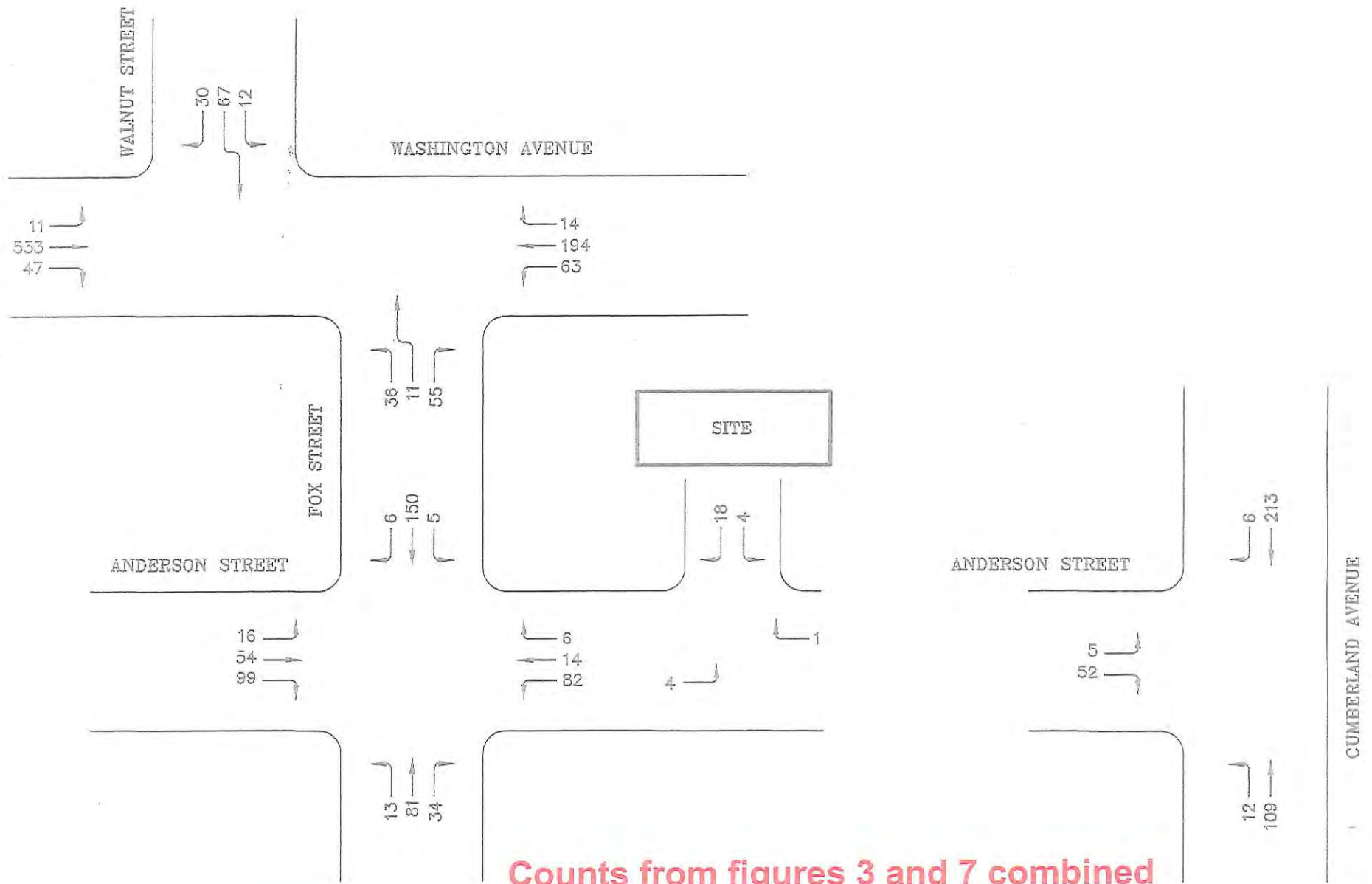




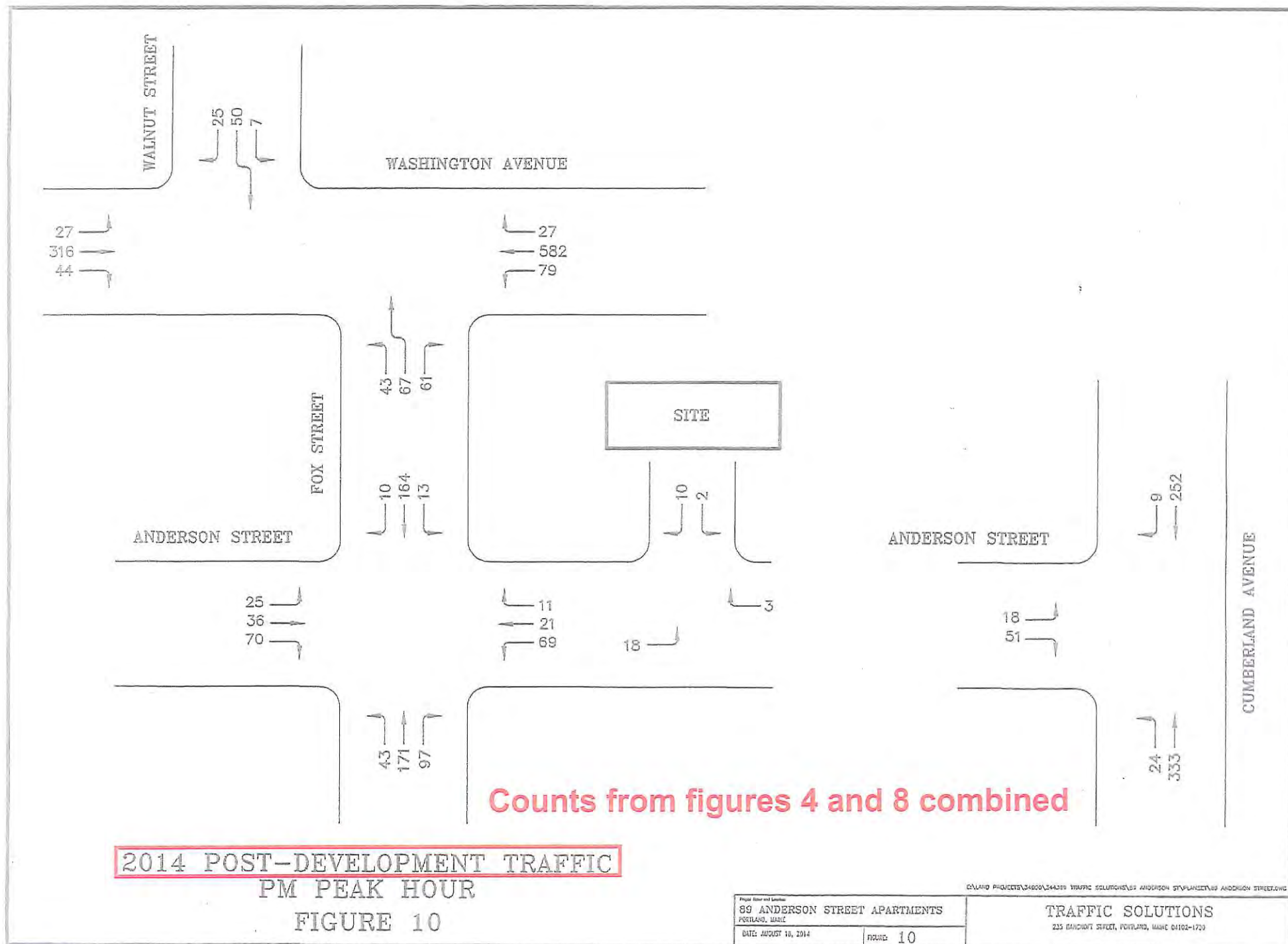








2014 POST-DEVELOPMENT TRAFFIC
 AM PEAK HOUR
 FIGURE 9



Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	4:25	4:25	4:25	4:25	4:25	4:25
End Time	5:30	5:30	5:30	5:30	5:30	5:30
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2238	2298	2292	2198	2271	2261
Vehs Exited	2235	2292	2270	2189	2267	2251
Starting Vehs	25	20	18	18	23	18
Ending Vehs	28	26	40	27	27	27
Travel Distance (mi)	593	612	608	573	609	599
Travel Time (hr)	26.2	26.7	27.5	24.9	27.0	26.5
Total Delay (hr)	5.1	4.8	5.8	4.4	5.3	5.1
Total Stops	1099	1188	1241	1098	1182	1162
Fuel Used (gal)	21.7	22.4	22.6	20.9	22.3	22.0

Interval #0 Information Seeding

Start Time 4:25
End Time 4:30
Total Time (min) 5
Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 4:30
End Time 5:30
Total Time (min) 60
Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	2238	2298	2292	2198	2271	2261
Vehs Exited	2235	2292	2270	2189	2267	2251
Starting Vehs	25	20	18	18	23	18
Ending Vehs	28	26	40	27	27	27
Travel Distance (mi)	593	612	608	573	609	599
Travel Time (hr)	26.2	26.7	27.5	24.9	27.0	26.5
Total Delay (hr)	5.1	4.8	5.8	4.4	5.3	5.1
Total Stops	1099	1188	1241	1098	1182	1162
Fuel Used (gal)	21.7	22.4	22.6	20.9	22.3	22.0

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.3	0.1
Total Del/Veh (s)	1.9	0.6	17.3	2.1

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.5	0.0	0.3
Total Del/Veh (s)	0.5	3.6	26.0	6.2

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.3	0.0	0.2
Total Del/Veh (s)	5.0	5.7	6.8	6.8	6.3

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.2	0.2
Total Del/Veh (s)	3.1	0.5	0.3	1.0

Total Network Performance

Denied Del/Veh (s)	0.4
Total Del/Veh (s)	7.7

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	122	38	113
Average Queue (ft)	23	8	43
95th Queue (ft)	75	30	85
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		1	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	33	146	179
Average Queue (ft)	4	41	81
95th Queue (ft)	22	112	152
Link Distance (ft)	12	1288	760
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	62	58	118	75
Average Queue (ft)	37	35	60	42
95th Queue (ft)	58	53	92	67
Link Distance (ft)	764	1258	282	760
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	56	45
Average Queue (ft)	31	6
95th Queue (ft)	52	29
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	4:25	4:25	4:25	4:25	4:25	4:25
End Time	5:30	5:30	5:30	5:30	5:30	5:30
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2201	2294	2276	2197	2254	2246
Vehs Exited	2200	2291	2257	2193	2246	2238
Starting Vehs	28	21	18	26	18	21
Ending Vehs	29	24	37	30	26	27
Travel Distance (mi)	581	608	599	569	600	592
Travel Time (hr)	25.3	26.7	27.4	25.0	26.3	26.1
Total Delay (hr)	4.6	5.0	6.1	4.6	4.8	5.0
Total Stops	1096	1118	1161	1055	1133	1113
Fuel Used (gal)	21.2	22.2	22.2	20.7	21.8	21.6

Interval #0 Information Seeding

Start Time 4:25
End Time 4:30
Total Time (min) 5
Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 4:30
End Time 5:30
Total Time (min) 60
Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	2201	2294	2276	2197	2254	2246
Vehs Exited	2200	2291	2257	2193	2246	2238
Starting Vehs	28	21	18	26	18	21
Ending Vehs	29	24	37	30	26	27
Travel Distance (mi)	581	608	599	569	600	592
Travel Time (hr)	25.3	26.7	27.4	25.0	26.3	26.1
Total Delay (hr)	4.6	5.0	6.1	4.6	4.8	5.0
Total Stops	1096	1118	1161	1055	1133	1113
Fuel Used (gal)	21.2	22.2	22.2	20.7	21.8	21.6

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.2	0.1
Total Del/Veh (s)	1.7	0.6	16.0	2.0

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.5	0.0	0.3
Total Del/Veh (s)	0.5	3.8	27.0	6.5

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.3	0.0	0.2
Total Del/Veh (s)	4.6	5.6	6.8	6.7	6.2

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.3	0.2	0.2
Total Del/Veh (s)	3.3	0.5	0.3	0.9

Total Network Performance

Denied Del/Veh (s)	0.3
Total Del/Veh (s)	7.6

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	95	47	113
Average Queue (ft)	19	7	42
95th Queue (ft)	63	31	84
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		1	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	31	199	208
Average Queue (ft)	5	45	83
95th Queue (ft)	23	135	161
Link Distance (ft)	12	1288	737
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	62	55	107	72
Average Queue (ft)	22	33	57	35
95th Queue (ft)	45	50	89	57
Link Distance (ft)	662	1258	281	737
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	52	44
Average Queue (ft)	30	5
95th Queue (ft)	48	25
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 1

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:55	6:55	6:55	6:55	6:55	6:55
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1738	1660	1705	1739	1659	1701
Vehs Exited	1737	1662	1708	1735	1648	1697
Starting Vehs	16	16	20	23	14	14
Ending Vehs	17	14	17	27	25	17
Travel Distance (mi)	483	459	475	474	456	469
Travel Time (hr)	20.8	19.2	20.5	20.2	19.4	20.0
Total Delay (hr)	3.3	2.8	3.4	3.1	3.0	3.1
Total Stops	982	883	963	926	870	926
Fuel Used (gal)	17.7	16.6	17.4	17.3	16.4	17.1

Interval #0 Information Seeding

Start Time 6:55
End Time 7:00
Total Time (min) 5
Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 7:00
End Time 8:00
Total Time (min) 60
Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	1738	1660	1705	1739	1659	1701
Vehs Exited	1737	1662	1708	1735	1648	1697
Starting Vehs	16	16	20	23	14	14
Ending Vehs	17	14	17	27	25	17
Travel Distance (mi)	483	459	475	474	456	469
Travel Time (hr)	20.8	19.2	20.5	20.2	19.4	20.0
Total Delay (hr)	3.3	2.8	3.4	3.1	3.0	3.1
Total Stops	982	883	963	926	870	926
Fuel Used (gal)	17.7	16.6	17.4	17.3	16.4	17.1

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.4	0.0	0.1	0.3
Total Del/Veh (s)	1.3	0.4	15.3	2.7

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.1
Total Del/Veh (s)	0.5	3.5	13.1	2.6

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.2	0.2	0.0	0.1
Total Del/Veh (s)	5.2	5.9	5.7	6.5	5.8

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.1	0.2	0.1
Total Del/Veh (s)	3.7	0.4	0.2	1.0

Total Network Performance

Denied Del/Veh (s)	0.3
Total Del/Veh (s)	6.3

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	62	24	112
Average Queue (ft)	4	1	50
95th Queue (ft)	27	12	95
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	31	112	92
Average Queue (ft)	8	37	41
95th Queue (ft)	30	89	71
Link Distance (ft)	12	1288	735
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	2		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	68	69	71	72
Average Queue (ft)	27	36	37	36
95th Queue (ft)	55	58	59	58
Link Distance (ft)	600	1258	281	735
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	63	34
Average Queue (ft)	28	3
95th Queue (ft)	50	19
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:55	6:55	6:55	6:55	6:55	6:55
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	65	65	65	65	65	65
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1614	1713	1638	1725	1629	1663
Vehs Exited	1602	1717	1640	1711	1632	1659
Starting Vehs	11	17	21	14	17	14
Ending Vehs	23	13	19	28	14	18
Travel Distance (mi)	451	478	461	482	455	465
Travel Time (hr)	18.7	19.8	19.3	20.2	19.2	19.4
Total Delay (hr)	2.6	2.8	2.8	2.9	2.9	2.8
Total Stops	805	859	877	844	849	849
Fuel Used (gal)	16.0	17.2	16.5	17.1	16.3	16.6

Interval #0 Information Seeding

Start Time 6:55
End Time 7:00
Total Time (min) 5
Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time 7:00
End Time 8:00
Total Time (min) 60
Volumes adjusted by Growth Factors.

Run Number	1	2	3	4	5	Avg
Vehs Entered	1614	1713	1638	1725	1629	1663
Vehs Exited	1602	1717	1640	1711	1632	1659
Starting Vehs	11	17	21	14	17	14
Ending Vehs	23	13	19	28	14	18
Travel Distance (mi)	451	478	461	482	455	465
Travel Time (hr)	18.7	19.8	19.3	20.2	19.2	19.4
Total Delay (hr)	2.6	2.8	2.8	2.9	2.9	2.8
Total Stops	805	859	877	844	849	849
Fuel Used (gal)	16.0	17.2	16.5	17.1	16.3	16.6

2: Washington Ave & Walnut Street Performance by approach

Approach	EB	WB	SB	All
Denied Del/Veh (s)	0.5	0.0	0.2	0.3
Total Del/Veh (s)	1.2	0.4	13.2	2.4

4: Fox Street & Washington Ave Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.0	0.2	0.0	0.1
Total Del/Veh (s)	0.5	3.3	11.3	2.2

5: Fox Street & Anderson Street Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.2	0.0	0.1
Total Del/Veh (s)	4.7	5.5	5.5	6.0	5.4

6: Cumberland Ave & Anderson Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.0	0.2	0.2	0.1
Total Del/Veh (s)	3.5	0.3	0.2	0.9

Total Network Performance

Denied Del/Veh (s)		0.3	
Total Del/Veh (s)		5.7	

Intersection: 2: Washington Ave & Walnut Street

Movement	EB	WB	SB
Directions Served	LT	TR	LR
Maximum Queue (ft)	43	24	117
Average Queue (ft)	4	1	46
95th Queue (ft)	23	10	85
Link Distance (ft)	422	12	156
Upstream Blk Time (%)		0	0
Queuing Penalty (veh)		0	0
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 4: Fox Street & Washington Ave

Movement	EB	WB	NB
Directions Served	TR	LT	LR
Maximum Queue (ft)	38	130	98
Average Queue (ft)	8	33	38
95th Queue (ft)	30	87	69
Link Distance (ft)	12	1288	740
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	2		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: Fox Street & Anderson Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	61	57	74	56
Average Queue (ft)	25	31	36	31
95th Queue (ft)	49	51	60	46
Link Distance (ft)	647	1258	281	740
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 6: Cumberland Ave & Anderson Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	52	31
Average Queue (ft)	25	2
95th Queue (ft)	47	16
Link Distance (ft)	1258	289
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Network Summary

Network wide Queuing Penalty: 2



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August, 2014

Traffic Signal Warrant Assessment

Washington Avenue/Fox Street/Walnut Street Intersection Portland, Maine

INTRODUCTION

An abbreviated traffic signal warrant analysis was conducted for the Washington Avenue/Fox Street/Walnut Street intersection based upon traffic data gathered in the month of August 2014 between the hours of 7:00 to 9:00 AM and, again, between the hours of 3:00 to 6:00 PM. The traffic data was adjusted by a factor of 13%, which represents the approximate variation between “peak” traffic collected during the week of August 14 and “average” travel conditions during the month of November (Adjustment factor based upon MaineDOT’s Weekly Group Mean Factors; refer to attached copy of MaineDOT factors). The abbreviated or preliminary traffic signal warrant analysis is based upon a total of 5-hours of traffic data; a formal traffic signal warrant study is generally prepared based upon 12-hours of traffic data and traffic information.

TRAFFIC SIGNAL WARRANT ASSESSMENT

The abbreviated traffic signal warrant analysis follows the guidelines presented in the 2009 edition of the Manual on Uniform Traffic Control Devices (MUTCD) in Chapter 4C. The MUTCD provides nine separate traffic signal warrants, whereby, prevailing conditions at an intersection can be evaluated to determine if sequenced traffic signals are warranted. Each of the nine warrants is listed as follows:

- Warrant 1 – Eight Hour Vehicular Volume
- Warrant 2 – Four Hour Vehicular Volume
- Warrant 3 – Peak Hour
- Warrant 4 – Pedestrian Volume
- Warrant 5 – School Crossing
- Warrant 6 – Coordinated Signal System
- Warrant 7 – Crash Experience
- Warrant 8 – Roadway Network
- Warrant 9 – Intersection near a Grade Crossing

The federal publication clearly states that, *“the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal”*. Guidance is specifically provided in the MUTCD on the conduct of the required engineering study and the judgment required in completing the signal warrant assessment. The direction provided, specific to prevailing conditions found at the study intersection, is summarized as follows:

A traffic signal should not be installed unless an engineering study indicates that the signal will improve the overall safety and/or operation of the intersection.

A signal should not be installed if it will seriously disrupt traffic flow.

Estimated 2014 "Average" Hourly Traffic Data

The presentation of the traffic volume data presented in Table 1 has been adjusted, as necessary, to project the hourly "major" and "minor" street volumes used in the conduct of the traffic signal warrant study.

Table 1
Abbreviated Traffic Signal Warrant Study
"Average" Conditions-Traffic Values⁽¹⁾
Washington Avenue/Fox Street/Walnut Street Intersection

<u>Time of Day</u>	<u>Major Street Volume⁽²⁾</u> <u>(Both Approaches)</u> <u>Washington Avenue</u>	<u>Minor Street Volume⁽³⁾</u> <u>Fox Street</u>	<u>Minor Street Volume⁽³⁾</u> <u>Walnut Street</u>
7:00 - 8:00 AM	562	73	67
8:00 - 9:00 AM	740	87	84
3:00 - 4:00 PM	634	59	117
4:00 - 5:00 PM	867	71	145
5:00 - 6:00 PM	880	41	131

Notes:

- ⁽¹⁾ "Average traffic values were computed applying a 13% reduction of August 2014 Traffic Data (refer to copy of August traffic count cards for subject intersection), which is based upon the Maine Department of Transportation's Weekly Group Mean Factors.
- ⁽²⁾ Washington Avenue has been defined as the "major" street.
- ⁽³⁾ Minor Street approaches are both Fox Street and Walnut Street. All right-turn movements were included in hourly Minor Street volumes.

Traffic Safety Data: The Washington Avenue/Walnut Street/Fox Street intersection meets MaineDOT's criteria for a high crash location. A total of 9 crashes and a Critical Rate Factor (CRF) of 1.98 were reported for the intersection. A more in-depth review (preparation of detailed vehicle collision diagrams) was prepared for the intersection to determine if a clear pattern of accident is occurring (Copies of the Collision Diagrams are attached as an appendix to the report). The detailed review of the vehicle crash reports for the intersection would suggest two clear patterns of concern: 1) four of the nine accidents involved vehicles on the Fox Street approach turning left onto Washington Avenue being struck by thru vehicles traveling eastbound on Washington Avenue; 2) the second pattern, with a total of three collisions, involved vehicles approaching Washington Avenue from Walnut Street sliding through the intersection striking a thru vehicle on Washington Avenue.

Traffic Signal Warrant Analyses: The evaluation was conducted for Warrants 1, 2, 3, and 7 and was based upon the 5-hours of traffic data presented in Table 1 only.

Each of the three traffic signal warrants used in the analyses are briefly described below followed by a determination of whether forecast conditions meet or fail required conditions.

Warrant 1: Eight Hour Vehicular Volume

Condition A - Warrant requires 500 vehicles per hour on major roadway (combination of both directions) and a total of 150 vehicles per hour on the highest minor street approach.

Condition B - Warrant requires 750 vehicles per hour on major roadway (combination of both directions) and a total of 75 vehicles per hour on the highest minor street approach.

Condition A+B - Warrant requires 80% of values stated for both Conditions A & B.

Warrant Likely Not Satisfied

Warrant 2: Four Hour Vehicular Volume

If travel conditions for any four hours of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach all fall above the applicable curve in Figure 4C-1 then warrant is met.

Warrant Likely Not Satisfied

Warrant 3: Peak Hour

If travel conditions for one hour of an average day representing the volume per hour on the major street and the corresponding vehicles per hour on the higher volume minor street approach fall above the applicable curve in Figure 4C-3 then warrant is met.

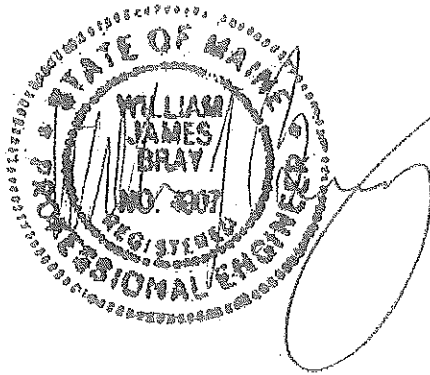
Warrant Likely Not Satisfied

Warrant 7: Crash Experience

Analysis based upon conclusions of safety evaluation conducted in Safety History Section above. Each of the following criteria must be met to consider the need for a traffic control signal:

- A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and
- B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period; and
- C. For each of any 8 hours of an average day the vehicles per hour given in the 80% column for Condition A in Table 4C-1 or the vph in both of the columns of Condition B in Table 4C-1 exists on both the major and minor street approaches.

Warrant Likely Not Satisfied



2012
Weekly Group Mean Factors
Average: 2009, 2010, 2011

Month	Start Date	Dates	Month Week #	Urban Group I	Arterial Group II	Recreational Group III	Group I + II	Group II + III	Group I + III	Year Week #
Jan	01	2,3,4,5,6	1	1.02	1.11	1.35	1.07	1.23	1.19	1
	08	9,10,11,12	2	1.09	1.21	1.50	1.15	1.36	1.30	2
	15	16,17,18,1	3	1.10	1.23	1.53	1.17	1.38	1.32	3
	22	23,24,25,2	4	1.05	1.18	1.46	1.12	1.32	1.26	4
	29	30,31,1,2,3	5	1.12	1.26	1.57	1.19	1.42	1.35	5
Feb	05	6,7,8,9,10	1	1.02	1.14	1.41	1.08	1.28	1.22	6
	12	13,14,15,1	2	1.02	1.12	1.36	1.07	1.24	1.19	7
	19	20,21,22,2	3	1.06	1.15	1.38	1.11	1.27	1.22	8
	26	27,28,29,1	4	1.06	1.17	1.38	1.12	1.28	1.22	9
Mar	04	5,6,7,8,9	1	1.06	1.16	1.39	1.11	1.28	1.23	10
	11	12,13,14,1	2	1.00	1.10	1.33	1.05	1.22	1.17	11
	18	19,20,21,2	3	1.02	1.13	1.35	1.08	1.24	1.19	12
	25	26,27,28,2	4	1.01	1.12	1.32	1.07	1.22	1.17	13
Apr	01	2,3,4,5,6	1	0.98	1.09	1.26	1.04	1.18	1.12	14
	08	9,10,11,12	2	0.97	1.08	1.22	1.03	1.15	1.10	15
	15	16,17,18,1	3	0.97	1.04	1.12	1.01	1.08	1.05	16
	22	23,24,25,2	4	0.97	1.05	1.17	1.01	1.11	1.07	17
	29	30,1,2,3,4	5	0.93	1.02	1.10	0.98	1.06	1.02	18
May	06	7,8,9,10,11	1	0.92	1.00	1.08	0.96	1.04	1.00	19
	13	14,15,16,1	2	0.92	0.98	1.04	0.95	1.01	0.98	20
	20	21,22,23,2	3	0.89	0.93	0.92	0.91	0.93	0.91	21
	27	28,29,30,3	4	0.90	0.94	0.96	0.92	0.95	0.93	22
Jun	03	4,5,6,7,8	1	0.89	0.93	0.91	0.91	0.92	0.90	23
	10	11,12,13,1	2	0.90	0.92	0.90	0.91	0.91	0.90	24
	17	18,19,20,2	3	0.90	0.89	0.81	0.90	0.85	0.86	25
	24	25,26,27,2	4	0.89	0.86	0.77	0.88	0.82	0.83	26
Jul	01	2,3,4,5,6	1	0.87	0.81	0.70	0.84	0.76	0.79	27
	08	9,10,11,12	2	0.88	0.83	0.71	0.86	0.77	0.80	28
	15	16,17,18,1	3	0.88	0.82	0.69	0.85	0.76	0.79	29
	22	23,24,25,2	4	0.88	0.81	0.67	0.85	0.74	0.78	30
	29	30,31,1,2,3	5	0.87	0.79	0.64	0.83	0.72	0.76	31
Aug	05	6,7,8,9,10	1	0.87	0.78	0.65	0.83	0.72	0.76	32
	12	13,14,15,1	2	0.87	0.79	0.66	0.83	0.73	0.77	33
	19	20,21,22,2	3	0.88	0.81	0.70	0.85	0.76	0.79	34
	26	27,28,29,3	4	0.88	0.85	0.78	0.87	0.82	0.83	35
Sep	02	3,4,5,6,7	1	0.89	0.88	0.86	0.89	0.87	0.88	36
	09	10,11,12,1	2	0.90	0.90	0.89	0.90	0.90	0.90	37
	16	17,18,19,2	3	0.91	0.91	0.92	0.91	0.92	0.92	38
	23	24,25,26,2	4	0.92	0.91	0.96	0.92	0.94	0.94	39
	30	1,2,3,4,5	5	0.91	0.89	0.98	0.90	0.94	0.95	40
Oct	07	8,9,10,11,1	1	0.92	0.90	0.98	0.91	0.94	0.95	41
	14	15,16,17,1	2	0.93	0.95	1.05	0.94	1.00	0.99	42
	21	22,23,24,2	3	0.95	1.00	1.12	0.98	1.06	1.04	43
	28	29,30,31,1	4	0.95	1.02	1.18	0.99	1.10	1.07	44
Nov	04	5,6,7,8,9	1	0.96	1.04	1.21	1.00	1.13	1.09	45
	11	12,13,14,1	2	0.97	1.04	1.23	1.01	1.14	1.10	46
	18	19,20,21,2	3	1.00	1.04	1.25	1.02	1.15	1.13	47
	25	26,27,28,2	4	0.97	1.03	1.24	1.00	1.14	1.11	48
Dec	02	3,4,5,6,7	1	1.00	1.13	1.32	1.07	1.23	1.16	49
	09	10,11,12,1	2	1.01	1.12	1.34	1.07	1.23	1.18	50
	16	17,18,19,2	3	0.93	1.08	1.30	1.03	1.19	1.14	51
	23	24,25,26,2	4	1.08	1.14	1.34	1.11	1.24	1.21	52

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09/20/14

To Nell Donaldson,

Thank you for all your work posting relevant documents for the 89 Anderson Street rezoning proposal workshop scheduled for Tuesday, September 23rd. I just finished reading through the Memo, Staff Attachments and Public Comments. After reading these documents I have a few additional concerns and comments of my own. I know it is too late to have my comments published online, but I am hoping they will get to the Planning Board.

I read with interest the traffic study that was completed by William Bray and then the review of that study by Thomas Errico. I am very concerned about safety on Fox Street, particularly at the intersections of Fox/ Washington and Fox/ Anderson. I have seen increased traffic on Fox Street along with greater stress on the street due to more usage by Fox field users and tractor trailer trucks. Here are a few comments I have about the studies in particular.

1. The timing of William Bray's traffic analysis renders it inaccurate. When he completed this study, gas line upgrade work was occurring on Washington Avenue and Cumberland Avenue. Due to this work, traffic was diverted away from Fox Street, thus lowering the traffic volume. For this reason, I think this study cannot be used.

2. I agree with Tom Errico that another problem with the timing of this study is related to usage differences on Fox Street when school is in session and when it is not in session. I agree with Tom that another traffic count must occur when school is in session and traffic is at full volume.

3. I also think a traffic analysis must occur when there is an athletic event, such as a lacrosse game or a soccer game happening at Fox Field. The parking during an athletic event and the chaos that occurs at the location of Fox/ Anderson during a game needs serious consideration.

4. I did not see a significant analysis done of the impact that the intermodal transportation facility located at 122 Anderson Street will have on the Fox/ Anderson Street intersection. The tractor trailer trucks which will be parked at the facility will need to enter and exit East Bayside using the Fox/ Anderson Street intersection. The timing of the egress of the trucks will mean a steady flow of tractor trailer trucks at the same time games and other athletic are occurring at Fox Field. This warrants further study.

5. I think that more precise data is needed to account for all of the new traffic coming from the following:

- a. the proposal to re-route traffic from I-295 into East Bayside. The current proposal which the Franklin Street Redesign Committee is considering, will not allow drivers to leave East Bayside via Marginal Way unless they are taking a right onto 295. This will force drivers (myself included) to use Fox Street in order to get onto Marginal Way going toward Forest Avenue. I did not even see this proposal and its impact on Fox Street mentioned in the traffic analysis.

b. new developments (some approved, some still to be approved) which will house residents who will need to use Fox Street to leave the peninsula. These new developments include,

- i. 134 Washington Avenue (18 units)
- ii. Munjoy Heights (29 units)
- iii. 192 Washington Avenue (15 apartments)
- iv. Sheridan Street Apartments (5 units)
- v. East Cove Townhomes (14 units, plus a restaurant)
- vi. 89 Anderson Street (53 units, plus a restaurant)

* I include 89 Anderson Street because there is disagreement between Bill Bray's numbers and Tom Errico's numbers in terms of trips generated from 89 Anderson Street. It seems very clear from Errico's numbers that putting in a 53-unit apartment building on the intersection of Fox/ Anderson will indeed have a much greater impact than building an R-6 compliant building at that intersection. I think all of these developments and the resulting traffic on Fox Street must be considered in a traffic analysis.

6. I am one of the residents who raised the concern about the existing geometry of the Fox/ Anderson intersection and the resulting lack of visibility due to walls being built on that very intersection. Errico says in his report that since this is a four way stop, the lack of visibility is not of concern to him. I am still very concerned about the lack of visibility that will occur at that intersection. It may look fine on paper to say the intersection is a four way stop, thus it is fine if we cannot see anything except a portion of the first car (and I mean just a portion, the entire car length of a vehicle on Anderson will not be visible to a driver approaching from the Washington Avenue side of Fox Street). I submit that for those of us who are well acquainted with the mixed uses already occurring on the intersection that saying lack of visibility is not an issue, is irresponsible. There are many children who use that intersection on a regular basis, as well as cyclists, joggers and skateboarders. People (particularly children) do not always stop when crossing the intersection which means it is vital for drivers to have a good view of all streets on Fox/ Anderson. This needs more careful consideration which takes into account the many and varied uses of the intersection. The tremendous blocking of a driver's view due to the proposed building right up to the corner will be very dangerous. I still hold the view that no zoning should be allowed at this intersection which gives permission to build up to the sidewalk.

There is a glaring omission in the reports that I have read for September 23rd. That omission is a clear and adequate answer to a question asked at the last workshop. One planning board member asked for Jonathan to make it clear to all involved, why a business zone would be a good idea for the Fox/ Anderson Street intersection of East Bayside. The question was how this would be beneficial to our neighborhood. I have not read anything which gives me a clear response. From everything I read, the opposite appears to be the case. A business zone at that intersection would be harmful to the neighborhood by increasing the amount of vehicular traffic, reducing visibility, increasing the amount of

pedestrian traffic and just generally causing more confusion at an already chaotic spot of East Bayside. Jonathan states in his report that safety and security would be increased, but he does not give any specifics as to how safety and security would increase. It seems that more evidence is given to the contrary. Since no satisfactory answer is given as to how a B-1 or B-2 zone is better for this section of East Bayside than an R-6 zone, I am still in support of keeping this piece of property R-6.

I am concerned that comparisons are made between the Bayside Anchor Project, Bayside East (at the corner of Oxford and Smith) and the project being proposed for 89 Anderson. These projects cannot be compared for two reasons:

1. The issue here is location. Bayside Anchor and Bayside East have nowhere near the traffic that Fox/Anderson has and Fox/Anderson will have an increasing amount of traffic based on several decisions which have been made.

2. Bayside Anchor and Bayside East are not located in business zones. A business on the ground floor just adds to the chaos, something not included in Bayside Anchor and Bayside East.

I disagree with Jonathan Culley when he states that the rezoning from R-6 to B-1b is particularly appropriate for this location and that the proposed map amendment is consistent with the goals of the Comprehensive Plan. In fact, this rezoning is entirely inappropriate for Fox/ Anderson Street as this area is in an R-6 neighborhood with mostly single-family and two-family homes. Spot rezoning in an R-6 area to a business zone is not appropriate. It also is in violation of the pedestrian friendly, family friendly goals of the Comprehensive Plan. A B-1b zone here will create a dangerous situation for pedestrians (due to factors mentioned earlier in this letter) and is not conducive to family friendly housing. Contrary to Jonathan Culley's statement, this parcel remaining R-6 is particularly appropriate for this location and remaining R-6 is consistent with the goals of the Comprehensive Plan.

It would be a much healthier situation for this neighborhood to have a reasonable R-6 type residence built at this corner than a business. Many references were made to the current use being as a garage and somehow using that to justify rezoning to a business zone. I suggest that a garage at this location is nonconforming and inappropriate. Why then, are we talking about repeating this error by rezoning to a business zone? We need to be reducing traffic at Fox/Anderson, not increasing traffic. Therefore, since the property is being sold, I am of the opinion that we should be looking for a better situation with more visibility and less traffic. I think an R-6 type structure is plenty permissive without being overwhelming. Anything more permissive than an R-6 zone will just increase the chaos, the danger and the tension in this section of East Bayside.

Please do not allow for a change in zoning at 89 Anderson Street. We need to keep our neighborhood livable.

Thank you for your consideration,

Ellen F. Bailey (resident of East Bayside)

From: Kathleen McKeon <kmckeon@maine.rr.com>
 To: <HCD@portlandmaine.gov>
 Date: 9/22/2014 9:50 PM
 Subject: 89 Anderson--9/23/14

Dear Helen,

I know it is late but am hoping that some of the planning board members will have a chance to review my letter about the proposed zone change.

Thanks,
 Kathleen

September 22, 2014

Dear Planning Board,

I am writing to express my concerns about the proposed development by Redfern at 89 Anderson Street and the request for a spot zoning change from R6 to B1-b. I believe it reflects the interests of the developer rather than the needs of the East Bayside community.

Both R6 and B1-b are high density zones and both types of development can help sustain the future growth of Portland. I believe that B1-b will strain the infrastructure and create higher density that which will have a negative impact on East Bayside when compared to R6. City planners must take into account that this is a neighborhood and an industrial zone. Residents have lived here since the 1800s and commercial business has been on the periphery. Spot zoning to B1-b creates a commercial zone in our residential area. Our neighborhood is bordered by B1-b and B2-b in other areas that provide ample opportunity for commercial businesses and housing ventures to develop. Presently, 89 Anderson Street is zoned R6 and this residential area should not be encroached upon for commercial development.

I am also concerned about Redfern's request for multiple zone changes during this process. City planning is complicated and proposing changing zones with each new meeting is confusing. It can also be educational. From my research I have learned that spot zoning is a micro approach to city planning that potentially favors individual developer requests over the needs and concerns of community residents. It often occurs in neighborhoods of lower socioeconomic status. It does not always increase property values for residents. Selective zone changes for individual developments can lead to projects being approved that are out of scale and style with the surrounding neighborhood. It also contributes to increased administrative costs, meetings, time and processes of workflow for planning board and city council members. Staying at the R6 zone promotes greater creative use of architectural space and provides an opportunity for development to better reflect the needs and style of our community.

Redfern has requested a zone change from R6 to B1-b with the premise that B1-b will be a better fit for the community. The proposal to put in a restaurant or store does not guarantee improvement to our neighborhood and may be difficult to lease as it is a busy street corner on the edge of an industrial zone. Similar style storefronts have been up for lease and vacant on Middle Street in the India Street neighborhood for years. The impacts of greater population density, 53 proposed units, increased traffic, questionable affordability, effect on neighborhood diversity and environmental concerns must be considered.

This year we have lost a great deal of green space because of development in our neighborhood and I am concerned how a spot zone change will impact the environment. Development within R6 (as currently zoned) allows for setbacks and landscaped open space of at least 20% of an existing lot and up to 60% of building maximum lot coverage. This allows for potential re-greening of this urban industrial area, presently an automotive garage. Transforming the lot into a greener space would be an opportunity for positive change for our community. Redfern's design builds up to the sidewalks with minimal green space (as proposed, approximately 12%). Much of the allocated 12% green space would edge the parking areas on the inside of the buildings, less-accessible to the general public. Portland promotes its green open spaces as an enhanced quality of life. We must consider the impact of the loss of green space requirements and set backs when considering spot zone changes. It is important to set a precedent for the future of our city.

Traffic and pedestrian sidewalk safety are clearly neighborhood concerns. Can the infrastructure support this growth? Redfern did have a recent traffic survey performed with the suggestion to put in crosswalks and pedestrian safety signs at the corner of Fox and Anderson Street. Unfortunately during the days of the study, Unifit gas-line construction was occurring on Washington and Cumberland Avenues. This caused detours in traffic flow from residents of Munjoy Hill who often use Fox Street for their daily commutes and access to stores and highway. As the study was performed in August, children were not in school. Both of these reasons question the validity of the report as there are potentially statistically significant differences in pedestrian and traffic flow counts. Measuring traffic flow from 3G's also lacks relevance and validity as the project will be a commercial and residential use rather than an automotive garage.

As a method of predicting future trends, a traffic report is purely hypothetical and does not include the actual real flow of traffic from the many new developments that are under construction in the neighborhood. This includes future changes to Franklin Arterial and the as yet unknown effect of the Intermodal Trucking impact on this intersection. An additional traffic study during school days when Unifit is finished with the neighborhood is a reasonable request to help clarify present traffic flow and I believe this has already been requested by the planning board. Future traffic flow is more difficult to assess but all local residents will be directly affected and decisions must be made that protect the safety of our neighborhood.

East Bayside is rich in diversity and history. At the last planning board meeting, attendees were asked to consider the proposed development from a broader viewpoint of diversity of style. In my opinion, the project lacks architectural diversity and the height may have a negative impact for the surrounding tenement and colonial houses in the neighborhood due to shadow effect and scale. Planning board members should consider

maintaining the R6 zone at 89 Anderson with the purpose to enhance and honor the history of the housing style of the working class and immigrant families of Portland. There is potential to create a more interesting architectural project that would fit in better with East Bayside than the one proposed.

We must also consider the diversity of our community and existing barriers to city government processes. Kennedy Park is one of the lowest socioeconomic and highest culturally diverse areas of Portland. Many of the residents of our neighborhood are illiterate. Some are recent immigrants or refugees. People live in subsidized housing or rent and work more than one job. Many come from countries where they would go to jail or worse if they expressed differing views from the government or city planners. Notification via mail is ineffective if one cannot read. Work takes precedent over planning board meetings when one is trying to pay rent and feed the family. These are barriers to the participation of local residents in the city planning board process. We must consider socioeconomic disparity, cultural diversity and help educate residents to understand the city government and planning board processes. A zone change will impact all residents and this decision should not be fast-tracked for the needs of a developer. I ask that you as planning board members support the needs of all members of our community when considering spot zoning.

Finally, the cost of rentals for this development is higher than what the average working class person can afford. Marketed at 30% below the local income level, the proposed rates are beyond what anyone working in the service industry can afford. Thanks to Avesta and Portland Public Housing, Kennedy Park will continue to have subsidized housing, creating a "poverty island" in our changing neighborhood while the working middle class residents are forced to move to surrounding areas. Future development in Portland ought to consider the housing needs of the working class residents as priority. East Bayside has always been a haven for the working class families of Portland and would be an excellent area for a mixed income development project.

Clearly the East Bayside neighborhood is on the frontline of development in the city of Portland. This is unlikely to change. Is spot zoning the answer? A zone change from R6 to B1-b at the 89 Anderson Street proposed project is speculative and purely in the interest of the developer and does not support the vitality and future growth of our neighborhood. I question the objectivity and validity of the provided traffic study and believe it should be repeated. We must have the integrity to sustainably guide the growth and development of East Bayside to reflect the history and diversity of our community. I ask that you protect East Bayside from this zoning encroachment and consider my concerns when deciding on spot zoning for the 89 Anderson Street development.

Sincerely,

Kathleen McKeon
53 Hammond Street
Portland, ME 04101
kmckeon@maine.rr.com

Michele Castner
86 Anderson Street
Portland, Maine 04101

September 22, 2014

Helen Donaldson, Planner and Members of the Planning Board
Planning Division
City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

**RE: Redfern Properties: 89 Anderson Street Zoning Proposal,
Planning Board Workshop, September 23, 2014**

Dear Ms. Donaldson and Members of the Planning Board,

Thank you for the opportunity to share with you my thoughts about the above named applicant's proposal/request for a zoning change at 89 Anderson Street. I am particularly invested in this proposal as I reside across the street from this parcel at 86 Anderson Street. I am also very invested in the East Bayside Neighborhood and am currently a board member for East Bayside Neighborhood Organization (EBNO). I am writing to you, however, not in an official EBNO capacity but as a private citizen and resident of East Bayside.

I believe that the goal of creating more housing on the peninsula as noted in the Portland Council Common Goals (2014) to "provide increased availability in all segments of the housing market" can be achieved by keeping the 89 Anderson Street parcel as an R-6 zone. The City Council's Objective 3 to "complete draft rewrites of the R6" is near completion and could potentially accommodate 32 new residences at this parcel without disrupting the current R-6 zoning. Maintaining the integrity of this zoning is consistent with the residential neighborhood it abuts.

Maintaining the R-6 zoning at 89 Anderson Street also supports Portland's Comprehensive Plan, Housing: Sustaining Portland's Future goal to, "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". Upholding the R-6 zone, I believe, can address the need to provide more housing while also, "protect the stability of Portland's residential neighborhoods from excessive encroachment by inappropriately scaled" uses as noted in the City of Portland's housing policy.

The current building proposal from Redfern Properties for this parcel, if a zone change is granted, encompasses the entire block facing Anderson Street. The scale of this building is considerably larger and different than the neighboring R-6 homes.

The next block on Anderson Street, for example, which is a similar size, has 4 homes (i.e., 1 multi-unit, 3 single family). I urge the Planning Board to consider the City Councilor's objective to, "encourage innovative new housing development which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood" and protect and maintain the R-6 zoning for this parcel.

Thank you very much for your time and consideration. I am grateful for your service to the City of Portland and look forward to continuing to collaborate with you to ensure that East Bayside continues to be a thriving, vibrant wonderful neighborhood.

Sincerely,

Michele Castner

From: Karen Snyder <karsny@yahoo.com>
To: Helen Donaldson <hed@portlandmaine.gov>
CC: "Cynthia L. Cochran" <ccochran@maine.rr.com>
Date: 10/12/2014 6:31 AM
Subject: 89 Anderson Planning Proposal

Hi Helen,

89 Anderson planning proposal is so against what the ordinances and zoning was suppose to protect against yet the planning board members especially Jack Soley and Carol Morrisette seem to vacillate back and forth trying to justify this planning proposal in some form or fashion.

This 89 Anderson proposal is SPOT ZONING!. Besides the fact that it is at the worst possible intersection in East Bayside to have a over developed lot with too much traffic congestion to further exacerbate the current intersection issues.

When will the planning board members stick to the current ordinances and zoning laws and not allow developers break or bend the ordinances? Isn't that what ordinances were to be for in the first place?

Additionally, I am deeply concerned about the conflict of interest that I see with certain planning board members and the developers.

After attending so many planning meetings this past year, I am quite concerned that there is an extreme amount of conflict of interest with the current planning board members and the developers. Even though the planning board positions are "volunteer", the current members are NOT altruistic or wanting to protect local citizens quality of life especially if the planning board members are property owners or lawyers in town.

I propose that certain planning board members need to step down from their current positions.

There is EXTREME dissatisfaction with how they are handling all these proposed development and allowing these developers to break ordinances or change them even though there is a large amount of opposition and inconvenience by local residents.

The current planning board members are effectively trying to PUSH out current local residents from their environment.

They should be ashamed of themselves.

Regards,
K. Snyder

From: Barbara Barhydt
To: Donaldson, Helen; Munson, Jennifer
Date: 11/5/2014 4:40 PM
Subject: Fwd: Comments re: 89 Anderson Street/East Bayside B1b rezoning

To the Portland Planning Board:

I'd like to express my support for the rezoning proposal and Redfern Properties' development proposal for 98 Anderson Street in East Bayside. I am a homeowner and landlord who resides at 45 Smith Street, a short walk away from the subject property. I'm also the current chair of the Portland Housing Authority board of commissioners, though these comments represent only my own opinions and not necessarily those of the PHA.

The proposed rezoning supports Portland's Comprehensive Plan in several ways. Most urgently, it supports the city's housing goals — currently one of the highest priorities for the city.

East Bayside likes to think of itself as an inclusive neighborhood, not an exclusionary one. Outside of our public housing, though, the few homes and apartments that come on the market each year in East Bayside go to the highest bidders, which are becoming an increasingly wealthy portion of the population (this problem also poses big challenges to the Portland Housing Authority's Section 8 housing choice voucher programs, which assist hundreds of low-income families in paying market rents to private-sector landlords).

The threat of gentrification requires us to work harder to accommodate the economically diverse mix of families who would like to live here, instead of trying to shut them out. The proposed project will provide much-needed relief in Portland's housing market by serving middle-income renters, and inviting new households to live here will also bring new vitality to our neighborhood's sidewalks and small businesses.

The rezoning also supports the city's sustainable transportation goals, by inviting new in-town housing and retail services to a walkable location near two bus routes. The site is also on the route of a planned and funded "neighborhood byway" — a street designed to prioritize and encourage travel by foot and by bike — on Anderson Street, with connections to regional bike routes via the new Tukey's Bridge path.

Some neighbors have expressed concerns about traffic. I'd like to point out that the current land use of the site — a car repair shop — is literally in the business of attracting cars to the site. The current use's site layout also causes significant safety problems, with its main driveway located in close proximity to the Fox/Anderson intersection. The Board should consider to the real-world examples of Walker Terrace in the West End, or Chestnut Street Lofts in Bayside, where the replacement of automobile-related land uses with new in-town housing actually helped calm traffic on Congress Street and Cumberland Avenue, respectively.

Finally, in 2010, a team of professionals from the American Institute of Architects assisted the East Bayside residents in producing a "Sustainable Vision for Maine's Most Diverse Neighborhood." That plan identified the corner of Fox and Anderson Street as a "place with potential" that should "attract neighborhood-serving uses, such as a coffee shop or a deli." (see page 62 (<http://www.aia.org/aiaucmp/groups/aia/documents/pdf/aia085786.pdf>)). While the current R6 zone prohibits this, the B1 designation would make this possible, and I'm encouraged to note that the applicant would like to build a corner retail space for precisely this purpose.

Thank you for considering these points, and for your service to the planning board.

Yours,
 Christian MilNeil
 45 Smith Street

<http://christianmilneil.com>

The Vigorous North:
 A field guide to the wilderness areas of American cities.
<http://www.vigorousnorth.com>

To: Helen Donaldson, City Planner
From: Cynthia L. Cochran, East Bayside Resident and Property Owner
Date: November 7, 2014
Re: 89 Anderson Street – Redfern's Rezoning/Project Request

Although the planning board assured the public at the September 23, 2014 workshop that they "won't permit an unsafe building" to be built at this site, I continue to be extremely concerned about the impact on motorist sight lines at Fox/Anderson Street intersection, given the applicant's architectural design for this project. I do not accept the proposition that the 4-way stop signs will keep this intersection safe for motorists, pedestrians, bicyclists, skateboarders, etc. Planning board members have acknowledged that this corner is already dangerous, given the angles and the multi-land uses that converge here.

Proposed, and generally supported, amendments to the R-6 zone ordinance would allow for 31 housing units to be built at this site with no zone change. I hope the board will weigh seriously, all the facts, circumstances, conditions, and contexts of this location before adding a 7th, higher impact land use, along the, approximately 1750 linear foot, Fox Street.

The promised improvements at the Fox/Anderson Street intersection are very welcome, and will help pedestrian traffic, but they will not mitigate the sight line concerns.

I appreciate that the applicant provided the Full Traffic Signal Warrant Assessment for the Washington/Fox/Walnut Street intersection. It is unfortunate that the warrant criteria were not met. The planning board and staff should seriously consider restricting parking on Fox Street, to one side only, east of Anderson Street, to increase safety, and improve sight-lines at this intersection.

When this intersection was reviewed by planning staff and Tom Errico for the Avesta project at 134 Washington Street in May 2014, the high crash location criteria had not yet been met. Three months later, in August, that criteria had been met. The May 27th staff memorandum included the following comment on page 15 describing the crashes at this intersection:

"It is possible that their sight lines were restricted by parked vehicles. Consideration should be given to restricting parking to provide adequate sight lines."

There are many problems with the applicant's traffic impact study, revisions, and follow up response to concerns brought forward at the September 23 public workshop:

1. At the Sept 23 workshop, both the public and the planning board specifically requested that field events at Kennedy Park (Fox Field) be taken into account. This was not accomplished by the applicant, apparently due to bad weather on the one day selected. The schedule of athletic events for the period Sept 24 – Oct 24 indicates there were 23 week days with field events available for conducting this count. The applicant chose the very last day, and, unfortunately, the weather was bad and the events were cancelled. The applicant conducted and submitted the Friday, Oct 24, 3:45-4:45 PM peak counts anyway, and compares them with the previous Tuesday, Aug 14, 4:30-5:30PM counts, although the day of the week, the PM peak hour, and the weather conditions were all completely different. This comparison is not valid due to the many different conditions.

The applicant also states:

"The noted intersection was projected to operate at the absolutely best level of service (Level of Service A) under post-development conditions, and based upon that determination, it is highly reasonable to assume that more than acceptable traffic operations would remain at the intersection even with the addition of significantly heavier peak hour volumes of traffic generated by the Sports fields."

The attached photographs, taken on Friday, Oct 10, between 5:10 – 5:17 PM document that level of service issues for both Washington/Fox and Franklin/Fox intersections impact traffic congestion and motorist decision-making at the Fox/Anderson intersection. Youth Football League practice was occurring at this time. However, most of the related vehicles were parked, so this level of traffic congestion is not solely attributable to that event.

The applicant's initial traffic impact study, revisions, and additions have not included counts at the Franklin/Fox intersection, although it is just as close to the 89 Anderson Street site as the three that have been included.

Also attached is a yearly schedule of athletic events held at Fox Field from Oct 2013 thru Oct 2014. Please note the heavy, daily use of this field in all months of the year except the 4½ month period starting Nov 10, 2013 and ending March 29, 2014.

2. The applicant's response to the request that counts be included for the commercial spaces proposed in this rezoning request:

Applicant backed away from previous declarations and architectural drawings that indicated a 1,977 SF restaurant and a 716 SF commercial space, and states that the

usage of 2,780 SF of commercial space is undetermined at this time. New drawings show 3 separate commercial spaces of differing sizes. However, the applicant chose to submit traffic impact data based upon the category #814 - "Specialty Retail Center" from the 8th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual and calculates a total of 8 additional PM Peak Hour trips for the total commercial space on this site. This is based upon 2.71 trips per 1,000 SF indicated for this category of use:

$$2,780 \text{ SF} / 1,000 \text{ SF} \times 2.71 = 8 \text{ PM Peak Hour trips}$$

The ITE Common Trip Generation Rates for the PM Peak Hour is attached. This is from the 9th edition of the ITE Trip Generation Manual, and although the Specialty Retail Center category number has changed, the rate is the same, and other relevant rates are most likely unchanged. I have highlighted in yellow a number of the more likely, permitted uses for commercial space at this site, based on the recent modifications to the land use ordinance code for the B-1/B-1b zones.

The trips per unit for these most likely uses range from low to high, 1.49 per 1,000 SF for general office building, to 40.75 for Coffee/Donut Shop without Drive-Through Window. These rates result in a range of 5 to 114 PM Peak Hour trips.

The applicant's selected category is highlighted in red. The 2.71 trips per 1,000 SF resulting in 8 PM peak hour trips is on the very low end of this range. Given that the applicant states that the usage of this commercial space is undetermined, and that this aspect of the project design is clearly mutable, the board should consider the traffic impacts of the broadest range of commercial uses at this site.

The applicant had originally proposed a restaurant and community center/office space. Using the 2,000 SF limit on restaurant space in the recently amended B-1b ordinance, the result would be something like this, depending on the type of restaurant and other commercial use:

Restaurant Space at 2,000 SF (2,000/1000 = 2 units): 15 to 52 PM peak hour trips

#931 – Quality Restaurant at 7.49 trips per unit = 15

#932 – High-Turnover (Sit Down) Restaurant at 11.15 trips per unit = 23

#933 Fast Food Restaurant without Drive Through Window at 26.15 trips per unit = 53

Commercial Space at 780 SF (780/1000 = .78 units): 2 to 30 PM peak hour trips

#710 – General Office Building at 1.49 trips per unit = 2

#715 – Single Tenant Office Building at 1.74 trips per unit = 2

#936 – Coffee/Donut Shop without Drive-Through Window at 40.75 trips per unit = 32

Totals for Commercial Space: 17 to 85 PM peak hour trips

Note that these calculations are only for the PM peak hour trips. No calculation was provided for AM peak hour trips. Perhaps Tom Errico can supply this missing information.

3. The applicant has used different methods to determine the number of peak vehicle trips generated by the proposed 89 Anderson Street project and generated by the existing 3G's automobile repair center. The 8th edition of the ITE Trip Generation Manual was used to determine peak vehicle trips for the proposed development, but field counts, conducted on Thursday, Sept 11, 2014, were used to determine the numbers for 3G's. The field count amounts are subtracted from the ITE Trip Generation Manual amounts to determine the volume of "new" trips generated by the proposed project. This mixed methodology does not produce a reasonable estimate.

The attached ITE Common Trip Generation Rates for the PM Peak Hour indicates that the rate for Category #942 – Automobile Care Center is 3.11 per 1,000 SF (highlighted in blue). Applying this method to the 5,698 SF 3G's building results in 18 PM peak hour trips, an amount that is 25% less than the 24 amount, indicated by the field count. One could conclude that, based on the actual field count, the ITE rates are 25% too low, and, perhaps unreliable; or, at least the very least, if the ITE rates are used to determine estimated peak vehicle trips, they should be applied consistently.

I was unable to locate a free source for the ITE AM peak hour rates, so am unable to calculate how much less that would be from the applicant's field count of 12. Perhaps this information can be supplied by Tom Errico. If the same 25% reduction is applied, the equivalent ITE count would be 9.

4. No consideration has been given to the anticipated, increased traffic volumes on Anderson, Cove, and Fox Streets that will result from restrictions on traffic leaving East Bayside via Marginal Way, as proposed by the Franklin Street Redesign Committee in its effort to reduce congestion at the Marginal Way/Franklin Street intersection. The Committee has determined that this restriction is the "best option."

Counts were conducted by the Franklin Redesign Committee in their efforts to evaluate the effectiveness of this restriction which should be utilized by the planning board to evaluate the accumulated traffic impacts of this proposed development. See attached counts for Urban Street #1 and #2. The net increased traffic count for Urban Street #1 is 94 for the AM peak, and 115 for the PM peak. The net increased traffic count for Urban Street #2 is 100 for the AM peak, and 84 for the PM peak. This net increase will be routed to Fox Street via either Cove, Diamond, or Anderson Streets.

Each of the issues, cited above, change the results of the traffic impact study originally conducted by the applicant. A summary is provided below.

Traffic Impact Data Analysis for 89 Anderson Street

	Anderson/Fox Intersection	
	AM Peak	PM Peak
Site Traffic - #220 - Apartment	28	33
Site Traffic - Restaurant	???	15 - 53
Site Traffic - Other Commercial Space	???	2 - 32
Totals for site	28 - ???	50 - 118
Current Use - 3Gs - #942 - Automobile Care Center	-9	-18
Net increase for site	19 - ???	32 - 100
Kennedy Park (Fox Field) Use - Impact on PM Peak		???
Other Development Traffic including:	24	37
(From Applicant's Traffic Impact Study, figures 5& 6)		
Washington Avenue Efficiencies		
PHA Bayside Anchor Project		
Munjoy Heights		
Intermodal Transportation Facility - 122 Anderson St.		
Total traffic impact at Anderson/Fox Streets	43 - ???	69 - 137
Franklin Street Redesign - Marginal Way restriction	94 - 100	115 - 84
Accumulated Traffic Impact to Fox Street	137 - 143+???	184 - 221

Summary:

During all the public meetings, from July through today, I have researched and presented a great deal of information to the board, regarding this location and its many challenges. The parking implications for this mixed use project have not yet been addressed at any of these meetings. Parking, at this location, is already a huge problem, due to increasing customers for the Fox Street industrial zone businesses, the lack of adequate parking for Coffee By Design patrons, the lack of off-street parking for Fox Field, and the deluge of parental vehicles, needing parking spaces that occurs for each Fox Field athletic event.

I do not support the applicant's request for B-1b zoning because it would add significantly to all of these challenges. The failure of the Washington/Fox/Walnut intersection to meet full signalization criteria, and the failure, to date, of city planners to present any meaningful and practical methods for mitigating these challenges reinforces my opposition to this rezoning request and project proposal.

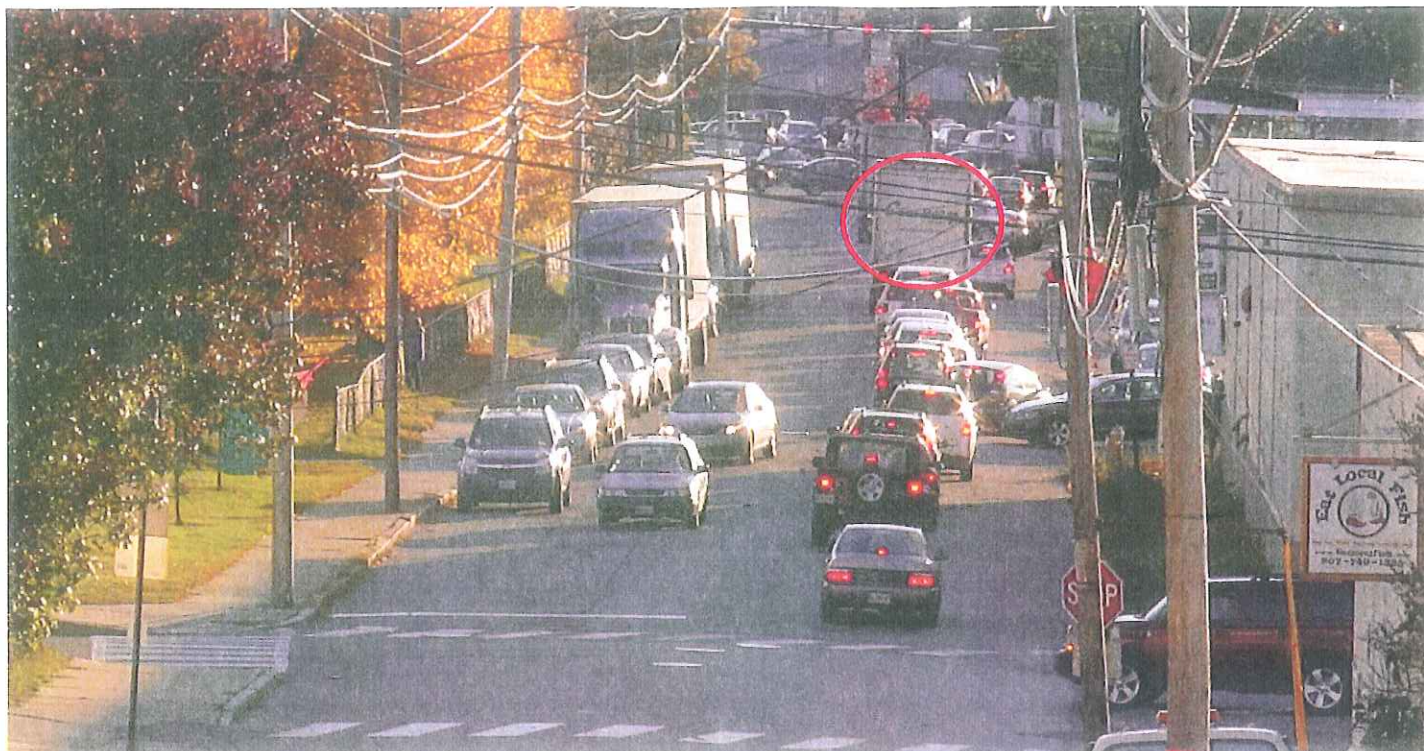
More pictures of Fox Street traffic/parking congestion:



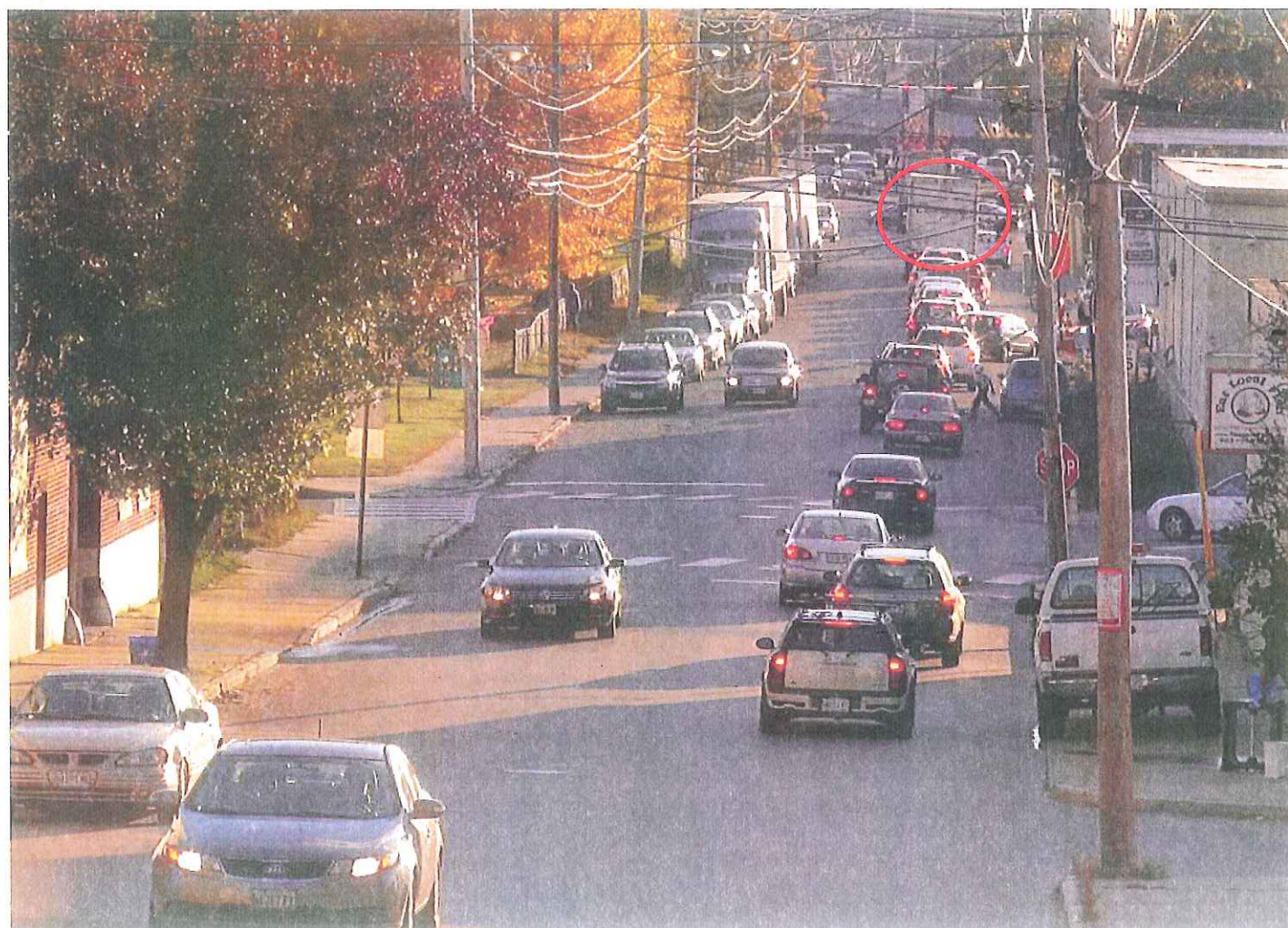
From Hammond St intersection, facing east, towards Washington Ave, 5:10:36 PM, Friday, Oct 10, 2014



From Anderson St intersection facing east, towards Washington Ave, 5:15:55 PM, Friday, Oct 10, 2014
Please note the position change of the circled vehicle in the two pictures after more than 5 minutes.



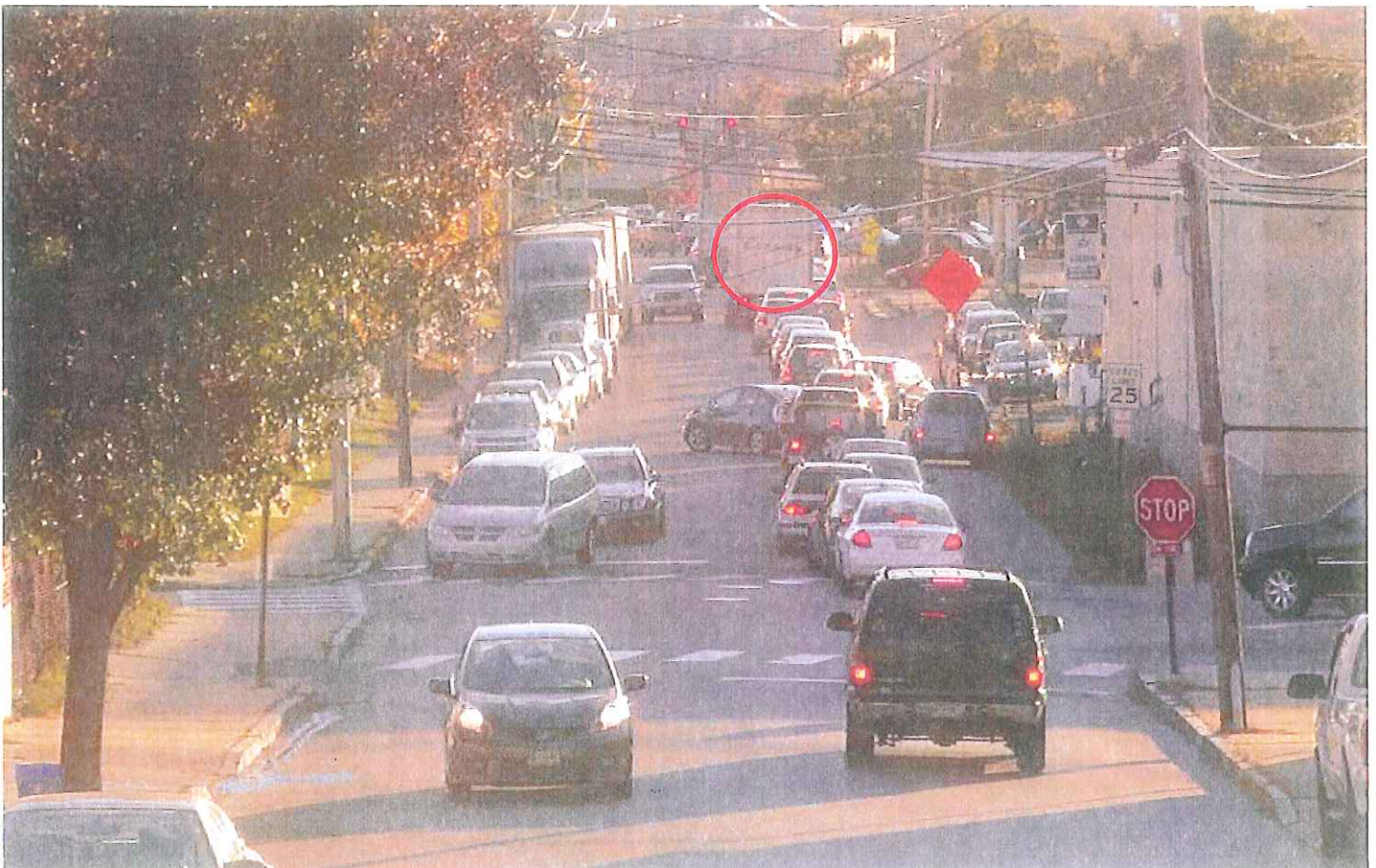
Anderson St, facing west, towards Franklin St, 5:11:45 PM, Friday, Oct 10, 2014. Light is red.



Anderson St, facing west, towards Franklin St, 5:12:06 PM, Friday, Oct 10, 2014. Light is still red.



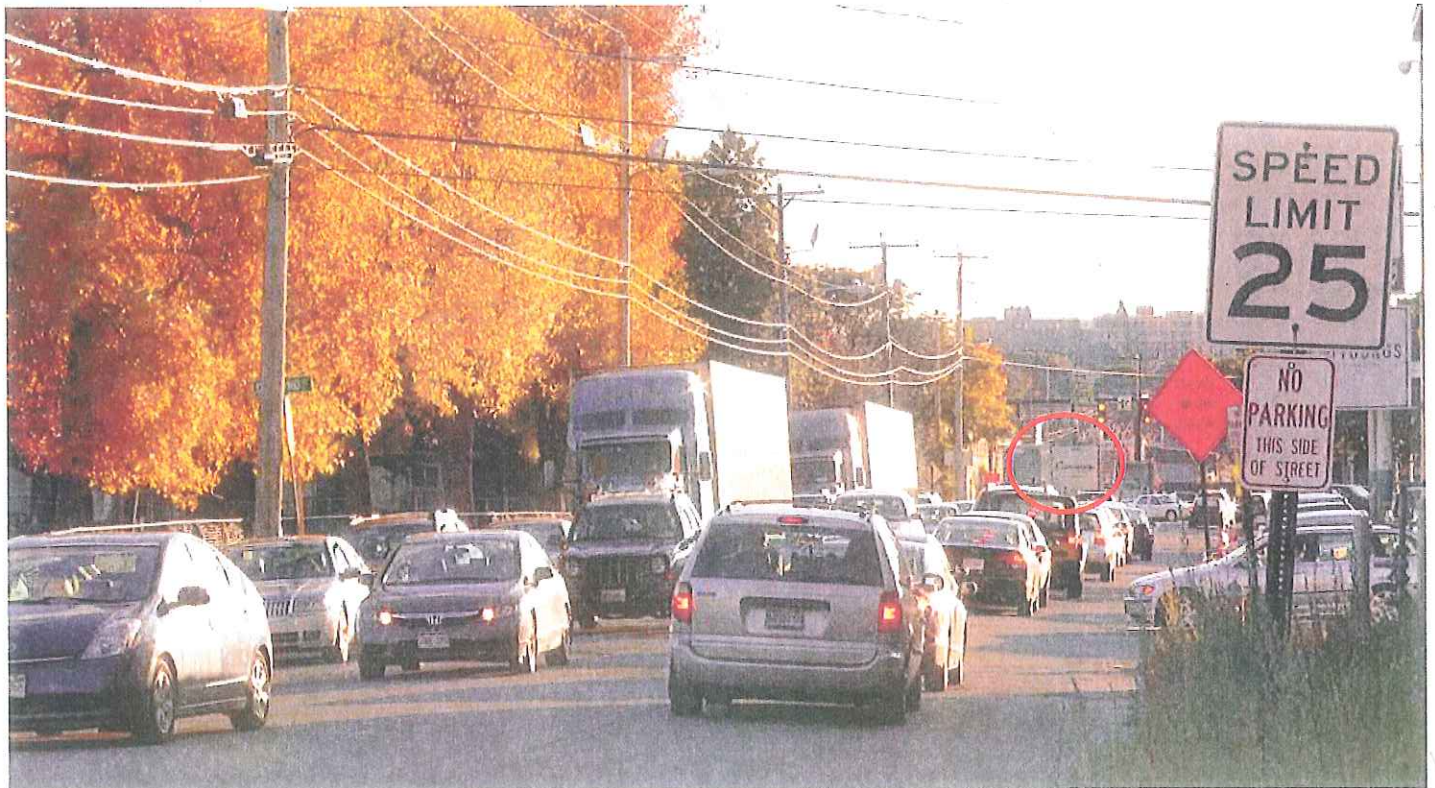
Anderson St, facing west, towards Franklin St, 5:12:35 PM, Friday, Oct 10, 2014. Light is green.



Anderson St, facing west, towards Franklin St, 5:12:53 PM, Friday, Oct 10, 2014. Light is red.



Anderson St, facing west, towards Franklin St, 5:13:36 PM, Friday, Oct 10, 2014. Light is red.



Anderson St, facing west, towards Franklin St, 5:16:51 PM, Friday, Oct 10, 2014. Light is yellow. Con-way truck just makes it through the yellow light, three light cycles and more than 5 minutes later.

October 2013

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	2 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	3 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	4 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	5 12:00 PM-4:00 PM Portland Rugby Match AF Field Rental Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
6	7 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	8 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	9 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	10 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	11 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	12
13	14 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	15 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	16 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	17 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	18 2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	19 12:00 PM-4:00 PM Portland Rugby Match AF Field Rental Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM

October 2013

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
13	14	15	16	17	18	19
	PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	
20	21	22	23	24	25	26
	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	
27	28	29	30	31		
	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM		

November 2013

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
					2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM 5:00 PM-7:00 PM PYFL PRACTICE AF Field Rental PYFL / Football League Portland Youth 5:00 PM-7:00 PM	12:00 PM-4:00 PM Portland Rugby Match AF Field Rental Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
3	4	5	6	7	8	9
	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM	2:00 PM-5:00 PM PHS practice AF Game Field Prep Portland High School / High School Portland 2:00 PM-5:00 PM	12:00 PM-4:00 PM Portland Rugby Match AF Field Rental Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
10	11	12	13	14	15	16
17	18	19	20	21	22	23

November 2013

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2013

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March 2014**East Bayside Athletic Facility**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31					
	4:00 PM-5:30 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 4:00 PM-5:30 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM					

April 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	2 3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	3 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	4 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5
6	7 4:00 PM-5:30 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 4:00 PM-5:30 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	8 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	9 3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	10 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	11 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	12 8:00 AM-1:00 PM Rugby Games AF Field Rental Portland Womens Rugby Club / Rugby Women's 8:00 AM-1:00 PM
13	14 4:00 PM-5:30 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 4:00 PM-5:30 PM 5:30 PM-7:00 PM	15 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	16 3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM	17 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	18 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	19 8:00 AM-12:30 PM Rugby Games AF Field Rental Portland Womens Rugby Club / Rugby Women's 8:00 AM-12:30 PM

April 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
13	14	15	16	17	18	19
	Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM		Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM			
20	21	22	23	24	25	26
	4:00 PM-5:30 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 4:00 PM-5:30 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	
27	28	29	30			
	4:00 PM-5:30 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 4:00 PM-5:30 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM			

May 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
				5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	9:00 AM-1:00 PM Rugby Games AF Field Rental Portland Womens Rugby Club / Rugby Women's 9:00 AM-1:00 PM
4	5	6	7	8	9	10
	4:00 PM-5:30 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 4:00 PM-5:30 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:00 PM-7:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 5:00 PM-7:00 PM	11:00 AM-2:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 11:00 AM-2:00 PM
11	12	13	14	15	16	17
	4:00 PM-5:30 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 4:00 PM-5:30 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	

May 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
18	19	20	21	22	23	24
	4:00 PM-5:30 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 4:00 PM-5:30 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	11:00 AM-2:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 11:00 AM-2:00 PM
25	26	27	28	29	30	31
2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	3:00 PM-5:00 PM Portland Youth Rugby AF Field Rental U19 High School Rugby / Rocco Frenzilli 3:00 PM-5:00 PM 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	

June 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	2 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	3 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	4 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	5 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	6 5:30 PM-7:00 PM Youth Lax AF Field Rental Back Bay Youth Lacrosse / Lacrosse Back Bay 5:30 PM-7:00 PM	7
8 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	9	10	11	12	13	14
15 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	16	17	18	19	20	21
22 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	23 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	24 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	25 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	26 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	27 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	28
29 2:00 PM-6:00 PM Soccer League AF Game Field Prep	30 9:30 AM-12:30 PM Field use AF Field Rental					

June 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29 Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	30 Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM					

July 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 3:00 PM-7:30 PM Lax Practice AF Field Rental MaineIax Lacrosse / Mimi Sokolowski 3:00 PM-7:30 PM	2 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	3 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	4 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	5
6 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	7 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	8 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 3:00 PM-7:30 PM Lax Practice AF Field Rental MaineIax Lacrosse / Mimi Sokolowski 3:00 PM-7:30 PM	9 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	10 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	11 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	12 2:00 PM-4:00 PM Soccer AF Game Field Prep Lawum Kayamba 2:00 PM-4:00 PM
13 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	14 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	15 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	16 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	17 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	18 9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	19

July 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
20	21	22	23	24	25	26
2:00 PM-6:00 PM Soccer League AF Game Field Prep	9:30 AM-12:30 PM Field use AF Field Rental	9:30 AM-12:30 PM Field use AF Field Rental	9:30 AM-12:30 PM Field use AF Field Rental	9:30 AM-12:30 PM Field use AF Field Rental	9:30 AM-12:30 PM Field use AF Field Rental	
Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	
27	28	29	30	31		
2:00 PM-6:00 PM Soccer League AF Game Field Prep	9:30 AM-12:30 PM Field use AF Field Rental	9:30 AM-12:30 PM Field use AF Field Rental	9:30 AM-12:30 PM Field use AF Field Rental	9:30 AM-12:30 PM Field use AF Field Rental		
Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM		

August 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
					9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM	
3	4	5	6	7	8	9
2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
10	11	12	13	14	15	16
2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	9:30 AM-12:30 PM Field use AF Field Rental Portland Housing Authority / Emily Mancini-Fitch 9:30 AM-12:30 PM 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	

August 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
17	18	19	20	21	22	23
2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
24	25	26	27	28	29	30
2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
31						
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM						

September 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch 11:00 AM-3:00 PM
7	8	9	10	11	12	13
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM 2:00 PM-6:00 PM Soccer League AF Game Field Prep Portland Latino League Soccer / carlos salamonca 2:00 PM-6:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	12:00 PM-4:00 PM Men's Rugby AF Game Field Prep Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
14	15	16	17	18	19	20
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch 11:00 AM-3:00 PM
21	22	23	24	25	26	27
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth	11:00 AM-3:00 PM W rugby AF Field Rental Portland Womens Rugby Club / Brittney Braasch

For Facility: East Bayside Athletic Facility | For Room: Fox Multipurpose Field | From Date: 10/1/2013 |

Thru Date: 10/1/2014

Recreation & Facilities Management



September 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
21 10:45 AM-1:15 PM	22 5:00 PM-8:00 PM	23 5:00 PM-8:00 PM	24 5:00 PM-8:00 PM	25 5:00 PM-8:00 PM	26 5:00 PM-8:00 PM	27 11:00 AM-3:00 PM
28 10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	29 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	30 5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM				

October 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
			5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	12:00 PM-4:00 PM Men's Rugby AF Game Field Prep Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
5	6	7	8	9	10	11
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	12:00 PM-4:00 PM Men's Rugby AF Game Field Prep Portland Rugby Club - Men's / Matthew Winch 12:00 PM-4:00 PM
12	13	14	15	16	17	18
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
19	20	21	22	23	24	25
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep The Plymouth House / John Buro 10:45 AM-1:15 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	5:00 PM-8:00 PM Practice AF Field Rental PYFL / Football League Portland Youth 5:00 PM-8:00 PM	
26	27	28	29	30	31	
10:45 AM-1:15 PM Plymouth HSL Adult FB AF Game Field Prep						



October 2014

East Bayside Athletic Facility

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	
The Plymouth House / John Buro 10:45 AM-1:15 PM						

INSTITUTE OF TRANSPORTATION ENGINEERS

COMMON TRIP GENERATION RATES (PM Peak Hour)

(Trip Generation Manual, 9th Edition)

Code	Description	Unit of Measure	Trips Per Unit
PORT AND TERMINAL			
30	Truck Terminal	Acres	6.55
90	Park and Ride Lot with Bus Service	Parking Spaces	0.62
INDUSTRIAL			
110	General Light Industrial	1,000 SF	0.97
120	General Heavy Industrial	Acres	2.16
130	Industrial Park	1,000 SF	0.85
140	Manufacturing	1,000 SF	0.73
150	Warehousing	1,000 SF	0.32
151	Mini-Warehouse	1,000 SF	0.26
152	High-Cube Warehouse	1,000 SF	0.12
170	Utilities	1,000 SF	0.76
RESIDENTIAL			
210	Single-Family Detached Housing	Dwelling Units	1.00
220	Apartment	Dwelling Units	0.62
221	Low-Rise Apartment	Dwelling Units	0.58
230	Residential Condominium / Townhouse	Dwelling Units	0.52
240	Mobile Home Park	Dwelling Units	0.59
251	Senior Adult Housing - Detached	Dwelling Units	0.27
252	Senior Adult Housing - Attached	Dwelling Units	0.25
253	Congregate Care Facility	Dwelling Units	0.17
254	Assisted Living	Beds	0.22
255	Continuing Care Retirement Community	Dwelling Units	0.16
LODGING			
310	Hotel	Rooms	0.60
320	Motel	Rooms	0.47
330	Resort Hotel	Rooms	0.42
RECREATIONAL			
411	City Park	Acres	0.19
412	County Park	Acres	0.09
413	State Park	Acres	0.07
415	Beach Park	Acres	1.30
416	Campground / Recreation Vehicle Park	Camp Sites	0.27
417	Regional Park	Acres	0.20
420	Marina	Berths	0.19
430	Golf Course	Acres	0.30
431	Miniature Golf Course	Holes	0.33

Code	Description	Unit of Measure	Trips Per Unit
432	Golf Driving Range	Tees / Driving Positions	1.25
433	Batting Cages	Cages	2.22
435	Multi-Purpose Recreational Facility	Acres	5.77
437	Bowling Alley	1,000 SF	1.71
441	Live Theater	Seats	0.02
443	Movie Theater without Matinee	1,000 SF	6.16
444	Movie Theater with Matinee	1,000 SF	3.80
445	Multiplex Movie Theater	1,000 SF	4.91
452	Horse Race Track	Acres	4.30
454	Dog Race Track	Attendance Capacity	0.15
460	Arena	Acres	3.33
473	Casino / Video Lottery Establishment	1,000 SF	13.43
480	Amusement Park	Acres	3.95
488	Soccer Complex	Fields	17.70
490	Tennis Courts	Courts	3.88
491	Racquet / Tennis Club	Courts	3.35
492	Health / Fitness Club	1,000 SF	3.53
493	Athletic Club	1,000 SF	5.96
495	Recreational Community Center	1,000 SF	1.45
INSTITUTIONAL			
520	Elementary School	1,000 SF	1.21
522	Middle School / Junior High School	1,000 SF	1.19
530	High School	1,000 SF	0.97
536	Private School (K-12)	Students	0.17
540	Junior / Community College	1,000 SF	2.54
560	Church	1,000 SF	0.55
565	Daycare Center	1,000 SF	12.46
566	Cemetery	Acres	0.84
571	Prison	1,000 SF	2.91
580	Museum	1,000 SF	0.18
590	Library	1,000 SF	7.30
591	Lodge / Fraternal Organization	Members	0.03
MEDICAL			
610	Hospital	1,000 SF	0.93
620	Nursing Home	1,000 SF	0.74
630	Clinic	1,000 SF	5.18
640	Animal Hospital / Veterinary Clinic	1,000 SF	4.72

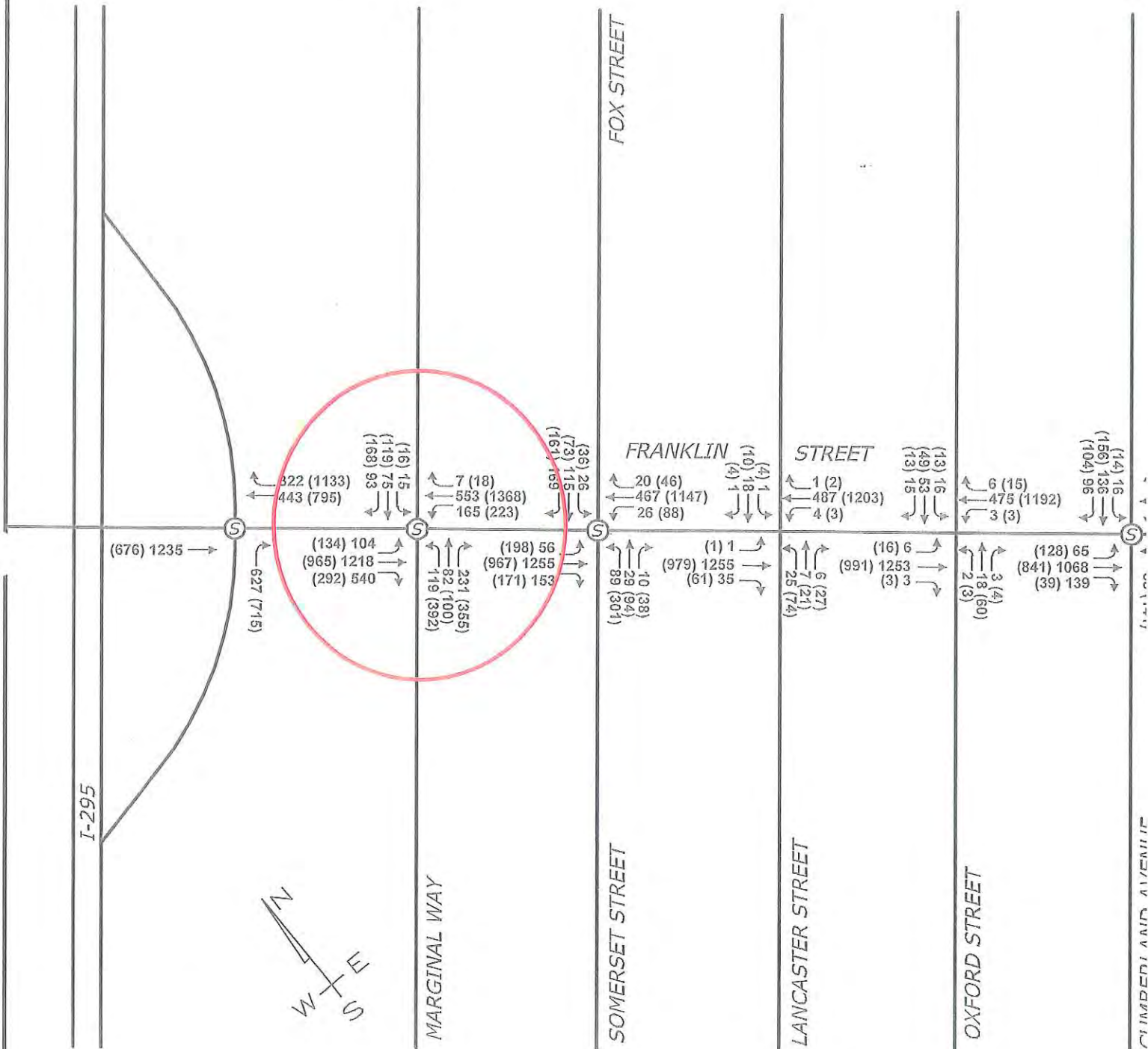
Code	Description	Unit of Measure	Trips Per Unit
OFFICE			
710	General Office Building	1,000 SF	1.49
714	Corporate Headquarters Building	1,000 SF	1.41
715	Single Tenant Office Building	1,000 SF	1.74
720	Medical-Dental Office Building	1,000 SF	3.57
730	Government Office Building	1,000 SF	1.21
732	United States Post Office	1,000 SF	1.22
733	Government Office Complex	1,000 SF	2.85
750	Office Park	1,000 SF	1.48
760	Research and Development Center	1,000 SF	1.07
770	Business Park	1,000 SF	1.29
RETAIL			
812	Building Materials and Lumber Store	1,000 SF	4.49
813	Free-Standing Discount Superstore	1,000 SF	4.35
814	Variety Store	1,000 SF	6.82
815	Free Standing Discount Store	1,000 SF	4.98
816	Hardware / Paint Store	1,000 SF	4.84
817	Nursery (Garden Center)	1,000 SF	6.94
818	Nursery (Wholesale)	1,000 SF	5.17
820	Shopping Center	1,000 SF	3.71
823	Factory Outlet Center	1,000 SF	2.29
826	Specialty Retail Center	1,000 SF	2.71
841	New Car Sales	1,000 SF	2.62
842	Recreational Vehicle Sales	1,000 SF	2.54
843	Automobile Parts Sales	1,000 SF	5.98
848	Tire Store	1,000 SF	4.15
850	Supermarket	1,000 SF	9.48
851	Convenience Market (Open 24 Hours)	1,000 SF	52.41
852	Convenience Market (Open 15-16 Hours)	1,000 SF	34.57
853	Convenience Market with Gasoline Pumps	1,000 SF	50.92
854	Discount Supermarket	1,000 SF	8.34
857	Discount Club	1,000 SF	4.18
860	Wholesale Market	1,000 SF	0.88
861	Sporting Goods Superstore	1,000 SF	1.84
862	Home Improvement Superstore	1,000 SF	2.33
863	Electronics Superstore	1,000 SF	4.50
864	Toy / Children's Superstore	1,000 SF	4.99
866	Pet Supply Superstore	1,000 SF	3.38
867	Office Supply Superstore	1,000 SF	3.40
875	Department Store	1,000 SF	1.87

Code	Description	Unit of Measure	Trips Per Unit
876	Apparel Store	1,000 SF	3.83
879	Arts and Craft Store	1,000 SF	6.21
880	Pharmacy / Drugstore without Drive-Through Window	1,000 SF	8.4
881	Pharmacy / Drugstore with Drive-Through Window	1,000 SF	9.91
890	Furniture Store	1,000 SF	0.45
896	DVD/Video Rental Store	1,000 SF	13.60
SERVICES			
911	Walk-In Bank	1,000 SF	12.13
912	Drive-In Bank	1,000 SF	24.30
918	Hair Salon	1,000 SF	1.93
925	Drinking Place	1,000 SF	11.34
931	Quality Restaurant	1,000 SF	7.49
932	High-Turnover (Sit-Down) Restaurant	1,000 SF	11.15
933	Fast Food Restaurant without Drive-Through Window	1,000 SF	26.15
934	Fast Food Restaurant with Drive-Through Window	1,000 SF	33.84
935	Fast Food Restaurant with Drive-Through Window and No Indoor Seating	1,000 SF	153.85
936	Coffee / Donut Shop without Drive-Through Window	1,000 SF	40.75
937	Coffee / Donut Shop with Drive-Through Window	1,000 SF	42.8
938	Coffee / Donut Shop with Drive-Through Window and No Indoor Seating	1,000 SF	75
940	Bread / Donut / Bagel Shop with Drive-Through Window	1,000 SF	18.99
941	Quick Lubrication Vehicle Shop	Service Bays	5.19
942	Automobile Care Center	1,000 SF	3.11
943	Automobile Parts and Service Center	1,000 SF	4.46
944	Gasoline / Service Station	Fueling Positions	13.87
945	Gasoline / Service Station with Convenience Market	Fueling Positions	13.51
946	Gasoline / Service Station with Convenience Market and Car Wash	Fueling Positions	13.94
947	Self Service Car Wash	Stalls	5.54
948	Automated Car Wash	1,000 SF	14.12
950	Truck Stop	1,000 SF	13.63

Note: All land uses in the 800 and 900 series are entitled to a "passby" trip reduction of 60% if less than 50,000 ft² or a reduction of 40% if equal to or greater than 50,000 ft².

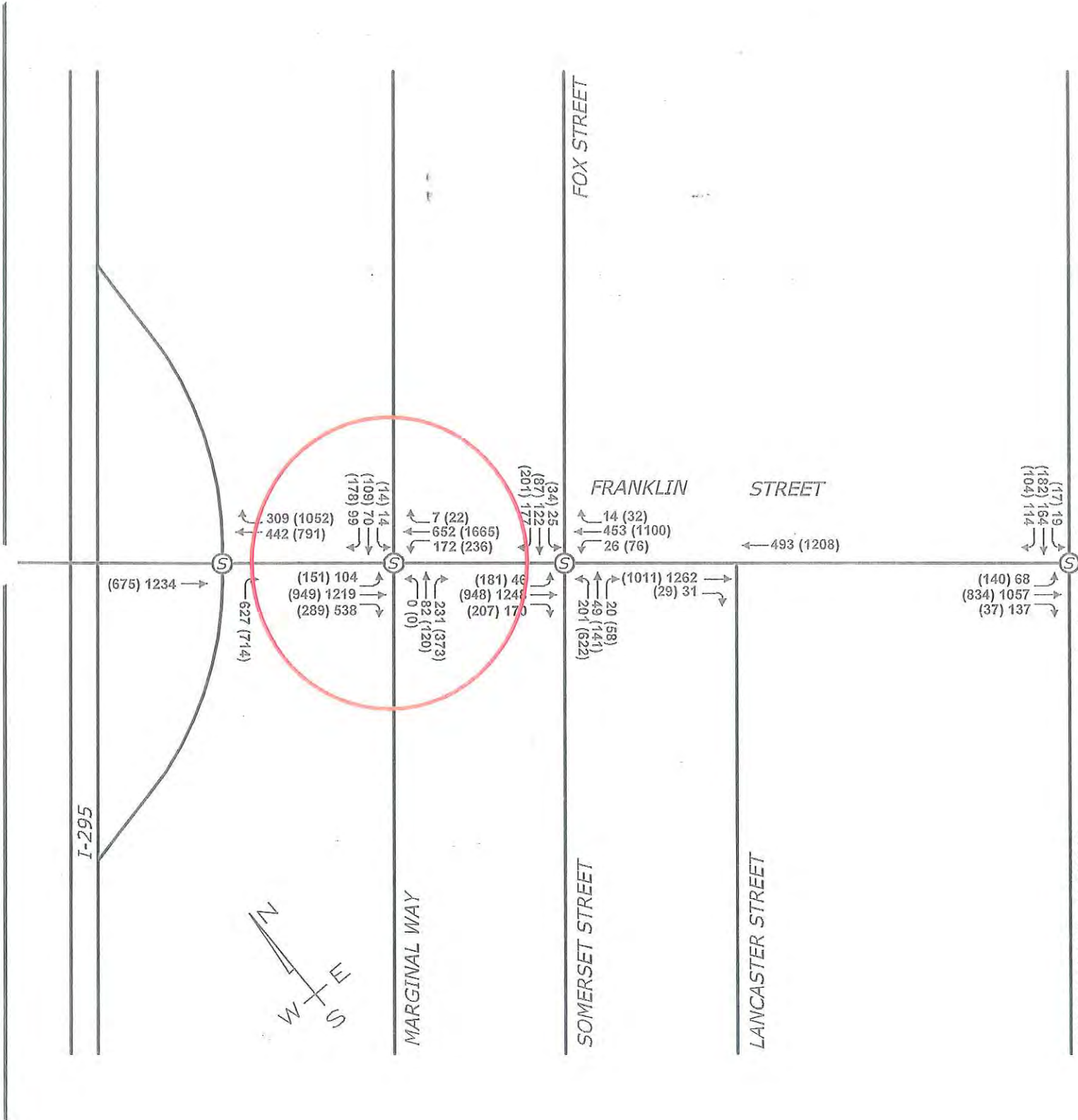
* Approximated by 10% of Weekday average rate.

Urban Street #1 - 203



FRANKLIN STREET

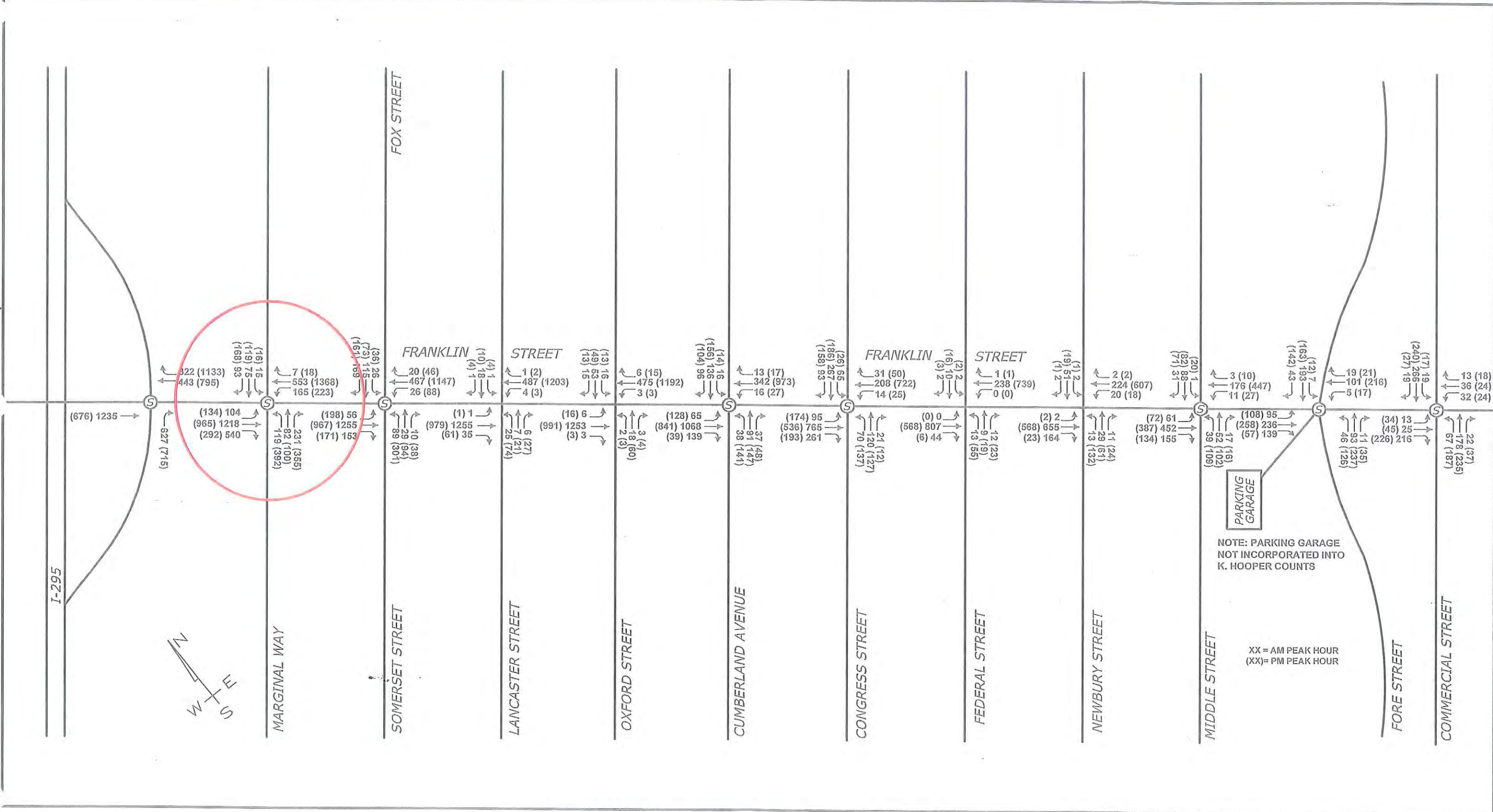
Urban Street #2 - 2034



FRANKLIN STREET

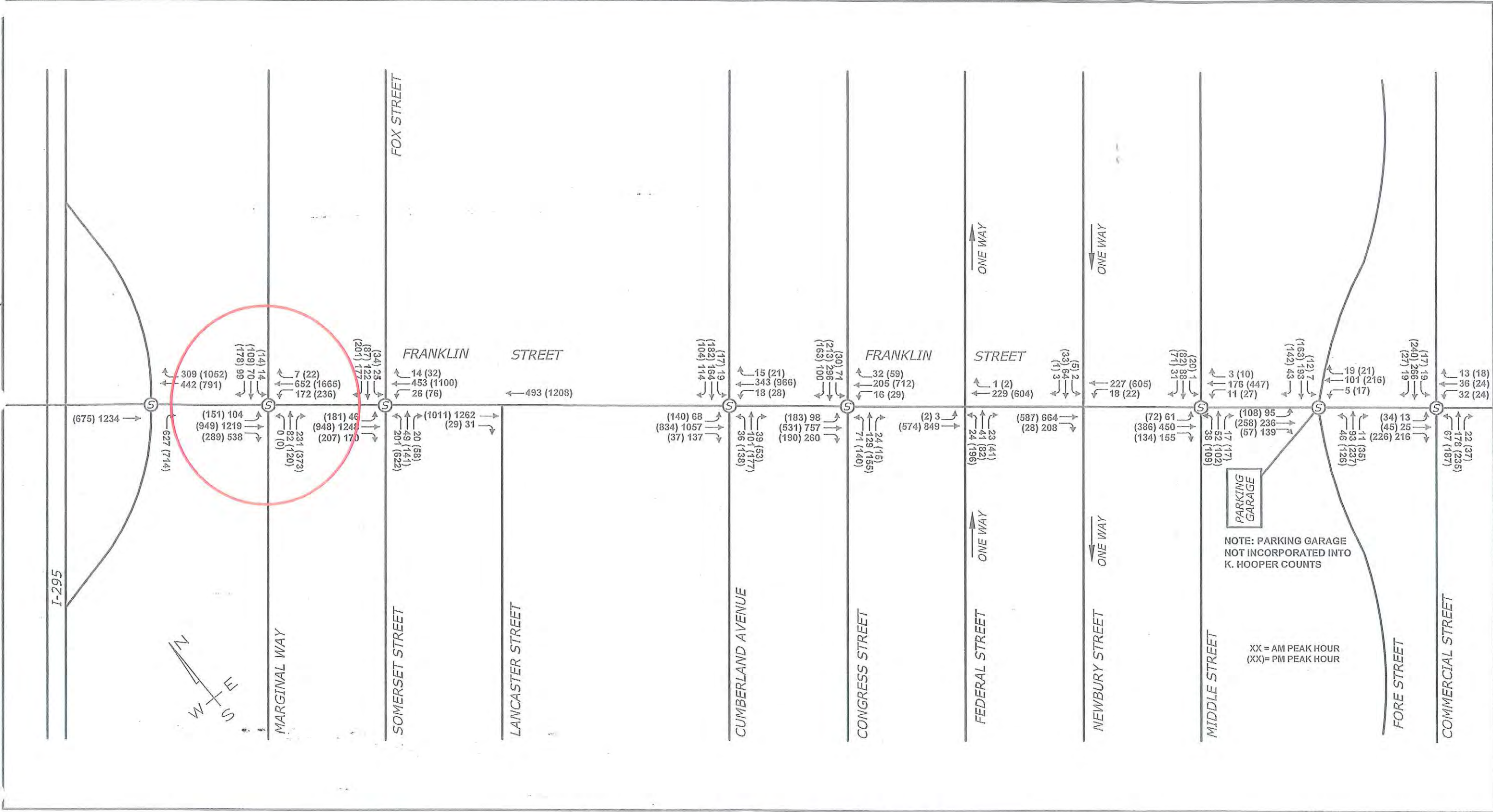
Urban Street #1 - 2035 Design Hour Volumes

Figure No 8A



FRANKLIN STREET, PORTLAND, MAINE

Urban Street #2 - 2035 Design Hour Volumes



FRANKLIN STREET, PORTLAND, MAINE