

# PLANNING BOARD REPORT PORTLAND, MAINE



St. Lawrence Arts Center Addition  
66-76 Congress Street  
Level III Site Plan Review  
2016-265  
Friends of the Saint Lawrence Church

Submitted to: Portland Planning Board Date: January 19, 2018 Public Hearing Date: January 23, 2018	Prepared by: Nell Donaldson, Planner CBL: 3-L001 Project #: 2016-265
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## I. INTRODUCTION

The Friends of the St. Lawrence Church appears before the Planning Board for a public hearing for the site plan review of a proposed addition to their property at 76 Congress Street, the St. Lawrence Arts Center. Notice of this hearing appeared in the *Portland Press Herald* on January 22 and 23, 2018. Notices were sent to 275 property owners within 500 feet and to the interested citizens list.

**Applicant:** Friends of the St. Lawrence Church

**Consultants:** David Lloyd, Archetype; Thomas Greer, Pinkham & Greer; William Bray, Traffic Solutions; Sarah Cushman, Cushman Transportation Consulting

## II. REQUIRED REVIEWS

<i><b>Waiver Requests</b></i>	<i><b>Applicable Standards</b></i>
<i>Driveway Separation</i> – to allow a curb cut approximately 20’ from the adjacent property’s	Technical Manual, <i>Section 1.7.2.7</i> . Along arterial, collector, and local streets, minimum acceptable spacing shall be 100-150 feet, depending on speed limit.

<i><b>Review</b></i>	<i><b>Applicable Statute</b></i>
Site Plan	<i>Section 14-526, with Historic Preservation review</i>

## III. PROJECT DATA

Existing Zoning	Conditional Zoning Agreement C58
Existing Use	Place of Assembly
Proposed Use	Place of Assembly
Proposed Development Program	14,768 SF Addition to include: <ul style="list-style-type: none"> <li>• 401 seats and stage in sanctuary</li> <li>• New lobby and support space (green rooms, dressing rooms, bathroom, storage)</li> <li>• New conference and office space</li> <li>• New Promenade Room (to serve as lobby break area during performances, meeting space at other times)(200 person capacity)</li> </ul>
Parcel Size	10,601 SF

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	3,360	9,075 SF	5,715 SF
Building Floor Area	10,540 SF	25,308 SF	14,768 SF
Impervious Surface Area	9,463 SF	9,978 SF	515 SF
Parking Spaces (on site)	0	0	0
Bicycle Parking Spaces	0	20	20
Estimated Cost of Project	\$10 million		



Figures 1 & 2: Zoning context (left) and St. Lawrence Arts Center (existing Parish Hall theater) at present (above)

**IV. CONTEXT**

The St. Lawrence Arts Center sits at 76 Congress Street in the heart of Munjoy Hill. The property is subject to a conditional zoning agreement adopted in early 2015. 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). Commercial uses 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 with two major building elements - the Parish Hall and the sanctuary. The building served as a church for almost a hundred years until its closure in 1986. In 2001, the Friends of the St. Lawrence took ownership of the building and renovated the Parish Hall into a live theater/auditorium space under the zoning provisions for a community hall; the sanctuary portion of the building, however, was left vacant as the Friends of St. Lawrence sought the means for renovation. Ultimately, the sanctuary fell into disrepair. In 2006, the primary roof trusses partially collapsed; shortly thereafter, the sanctuary was deemed unsalvageable. The sanctuary was dismantled in 2009. 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 developed a proposal to 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, including 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.

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 would be cost prohibitive. Instead, the Friends of the St. Lawrence shifted their vision for the proposed addition, focusing on what evolved into a contemporary expansion. In order to allow the change in design, an amended conditional zoning agreement was adopted by the City Council in early 2015.

It should be noted that the building was placed on the National Register in 1979, and was designated locally as a historic landmark in 1990. As a designated historic property, development on the site is subject to the Historic Preservation ordinance. The Historic Preservation Board has previously reviewed not only the demolition plans of the late 2000s, but also the reconstruction plans of 2010 and 2014.

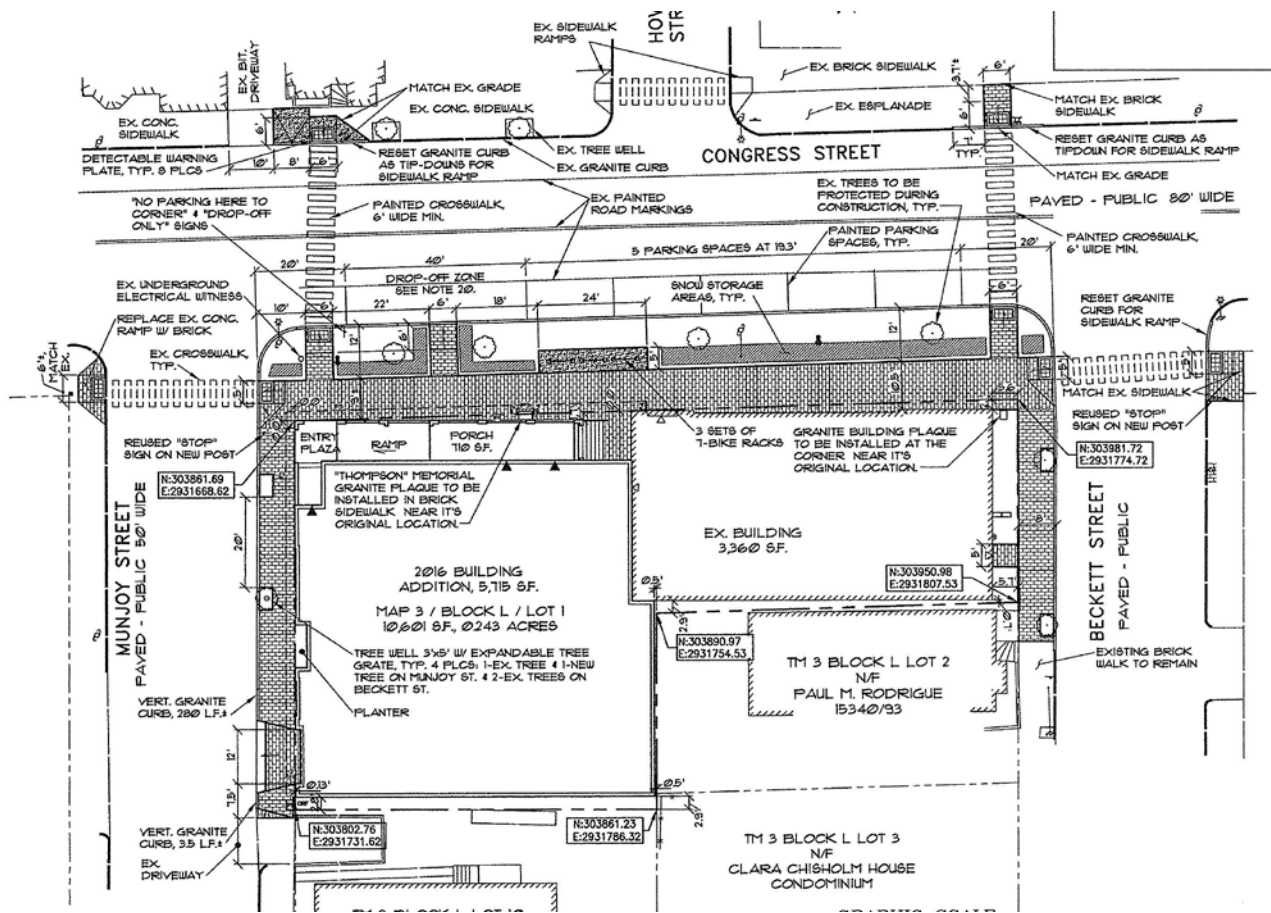


Figure 3: Final site plan

**VI. PROPOSED DEVELOPMENT**

The proposed St. Lawrence Arts Center project includes the renovation of the existing Parish Hall auditorium to increase the seating capacity to 120, add office space, and build a meeting room. The plans also include an addition in the old sanctuary space, including:

1. A 401-seat auditorium;

2. A new lobby to serve both the sanctuary and Parish Hall venues;
3. New support spaces including a catering kitchen, concession area, green room, dressing room, and bathrooms; and
4. A new function room, the Promenade Room, on the upper level, which would primarily be used as a lobby for the 401 seat performance hall

Overall, the footprint of the Arts Center is proposed to expand by just under 6,000 SF.

**IX. PUBLIC COMMENT**

The Planning Division has received no public comments on the site plan application for the St. Lawrence addition. However, the Planning Division did receive a number of comments over the course of the preceding conditional zoning agreement review. In general, the concerns regarding the development included its scale and massing, the proposed parking arrangement, and the TDM plan. The St. Lawrence held a neighborhood meeting at the outset of this site plan review. The summary indicates that attendees raised questions about architecture and parking (*Attachment P*).

**VII. RIGHT, TITLE, & INTEREST**

The St. Lawrence’s application includes a deed as evidence of right, title, and interest (*Attachment D*). The final site plan shows areas of sidewalk on Congress Street that are proposed on private property; these will require a public access easement. Licenses will also be required for a plaque to be set in the sidewalk near the addition and building footings, which are proposed to encroach into the right-of-way. These have been included as conditions of approval.

**VIII. FINANCIAL & TECHNICAL CAPACITY**

The estimated cost of the project is approximately \$10 million. In their final submittal, the applicant has provided a letter attesting to their performance in fundraising as a 501(c)3 non-profit, and arguing that Planning Board approvals are necessary to allow effective fundraising for the Arts Center addition (*Attachment E*). Staff is recommending a condition of approval requiring that the applicant provide final evidence of financial and technical capacity prior to issuance of a building permit.

**IX. ZONING ANALYSIS**

Staff has conducted a zoning analysis based on the conditional zoning agreement (*Attachment F*).

	Major Element of CZA	CZA Requirement	Proposal
Dimensional Standards	Use	Notwithstanding section 14-137(b)(6)(e)(i), the use shall be a place of assembly/community hall	Place of assembly
	Min. Lot Size	10,500 SF	10,601 SF
	Min. Front yard	0 ft.	0 ft.
	Min. Rear Yard	0 ft.	3 ft.
	Min. Side Yard on Side St.	0 ft.	0 ft.
	Max. Lot Coverage	95%	92% (9,785/10,601)
	Max. Sanctuary Structure Height	54 ft.	54 ft.
	Open Space Ratio	0%	0%
	Min. Lot Width	50 ft.	160 ft.

<i>Major Element of CZA</i>	<i>CZA Requirement</i>	<i>Proposal</i>
<i>Occupancy restriction</i>	Maximum number of attendees at any single event or combination of events limited to 485 persons. Maximum seats in Parish Hall theater restricted to 120. Seats in sanctuary auditorium restricted to 401. No separate audience events to be held in Parish Hall and sanctuary at same time.	
<i>Maintenance</i>	Owner responsible for ongoing maintenance.	
<i>Sidewalks</i>	Owner to install brick sidewalks along Munjoy, Beckett, and Congress Street frontages and reset existing pink granite curbing as necessary.	Brick sidewalks and note regarding pink granite curbing shown on final plan.
<i>Street Trees</i>	Owner to provide two street trees along Munjoy, Beckett, and Congress Street frontages, unless healthy trees exist.	One additional tree proposed on Munjoy Street. Other frontages have existing trees.
<i>Street Lighting</i>	Owner to install two Downtown District street lights along Congress Street frontage.	Two lights shown on plan. Use of Downtown light fixtures on this portion of Congress Street currently under review as city staff update the Technical Manual. Final lighting design suggested as condition of approval.
<i>Crosswalks and Ramps</i>	Owner to install remaining crosswalks, ADA-compliant ramps, and other pedestrian improvements at Congress/Beckett Streets or Congress/Howard Streets and Congress/Munjoy Streets.	Crosswalks denoted on plan. See specific comments under site plan review below.
<i>TDM/Off-Street Parking Requirement<sup>1</sup></i>	TDM plan required, and must include annual \$70,000 contribution to Sustainable Transportation Fund and monitoring provisions. Requirement of TDM plan to supersede any and all parking requirements of the land use code. During site plan review, Planning Board to provide communication to Council that may include recommendations for on-street parking regulations.	No off-street parking proposed. \$70,000 annual contribution and monitoring requirements noted in TDM plan.
<i>Tour buses</i>	Owner to ensure that tour buses, vans, and trucks affiliated with events unload and relocate to remote, off-street parking location during event	Loading restrictions noted in TDM plan and in truck loading memo.

<sup>1</sup>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).

**X. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527)**

The applicant has provided all required submittals. Staff has suggested a condition of approval that a final construction management plan be reviewed and approved at the time of building permit. Jeff Tarling, the city's arborist, has requested that the final construction management plan include notes regarding the preservation of street trees along Congress Street and Munjoy Street.

## XI. SITE PLAN REVIEW

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's site plan ordinance. Staff comments are below.

### 1. Transportation Standards

#### a. Impact on Surrounding Street Systems

The final submittal includes an application for a Traffic Movement Permit (*Attachments J and K*). The analysis included in this application estimates a total trip generation of 182 vehicle trips during the future peak hour, and a net change in trip generation of 170, most of which are anticipated to use Congress Street to access the Arts Center and its vicinity. Thomas Errico, the city's consulting traffic engineer, has reviewed the application and found the following,

*In response to the TMP Scoping meeting, the applicant provided an estimate of likely traffic patterns for patrons attending SLAC events. As noted in the assessment, 182 vehicle trips can be expected to travel to an SLAC event during the peak hour. The applicant assumed 60 trips would be associated with the Valet Parking Services; 80 trips would be associated with patron drop-off activity – and parking locally; and 42 trips would directly park locally and walk to the site. The applicant estimated the following for traffic increases:*

- 67 vehicles would travel to the project site via eastbound Congress Street.
- 30 vehicles would depart the site on Congress Street as part of valet services.
- 20 vehicles would travel to the project site via eastbound Cumberland Avenue.
- 15 vehicles would travel to the project site via eastbound Fore Street.
- 10 vehicles would travel to the project site via Walnut Street

*I find the estimate provided to be acceptable and the information satisfies the requirement of the Traffic Movement Permit (with the TDM Plan). The key outcome regarding the mitigation of traffic impacts is associated with the effectiveness of the TDM Plan.*

The TDM Plan is discussed in further detail below.

#### b. Access and Circulation

The proposed Arts Center addition will fill out the remainder of the block frontage on Congress Street between Beckett and Munjoy Streets. New brick sidewalks are proposed on the Beckett, Congress, and Munjoy Street frontages. Two ADA-accessible crosswalks are proposed across Congress Street, at both Beckett and Munjoy Streets, and improvements are proposed to the existing crosswalks across Beckett and Munjoy Streets. In his final review, Mr. Errico has requested slight modifications to proposed ramps in these locations, writing,

*The [Congress Street at Munjoy Street crosswalk] ramp flares impact pedestrian accessibility along the sidewalk. The ramp should be redesigned with dimensional details. A condition of approval should be included for final design details to be provided for review and approval prior to any City Permit.*

*Ramp flares at the westerly corner of Munjoy Street and Beckett Street currently impact the accessible route and revisions shall be provided including dimensioned*

details. A condition of approval should be included for final design details to be provided for review and approval prior to any City Permit.

The plans show a curb cut at the southeasterly corner of the site along Munjoy Street, where an overhead door will stand. A driveway separation waiver has been requested. This waiver is supported by Mr. Errico.

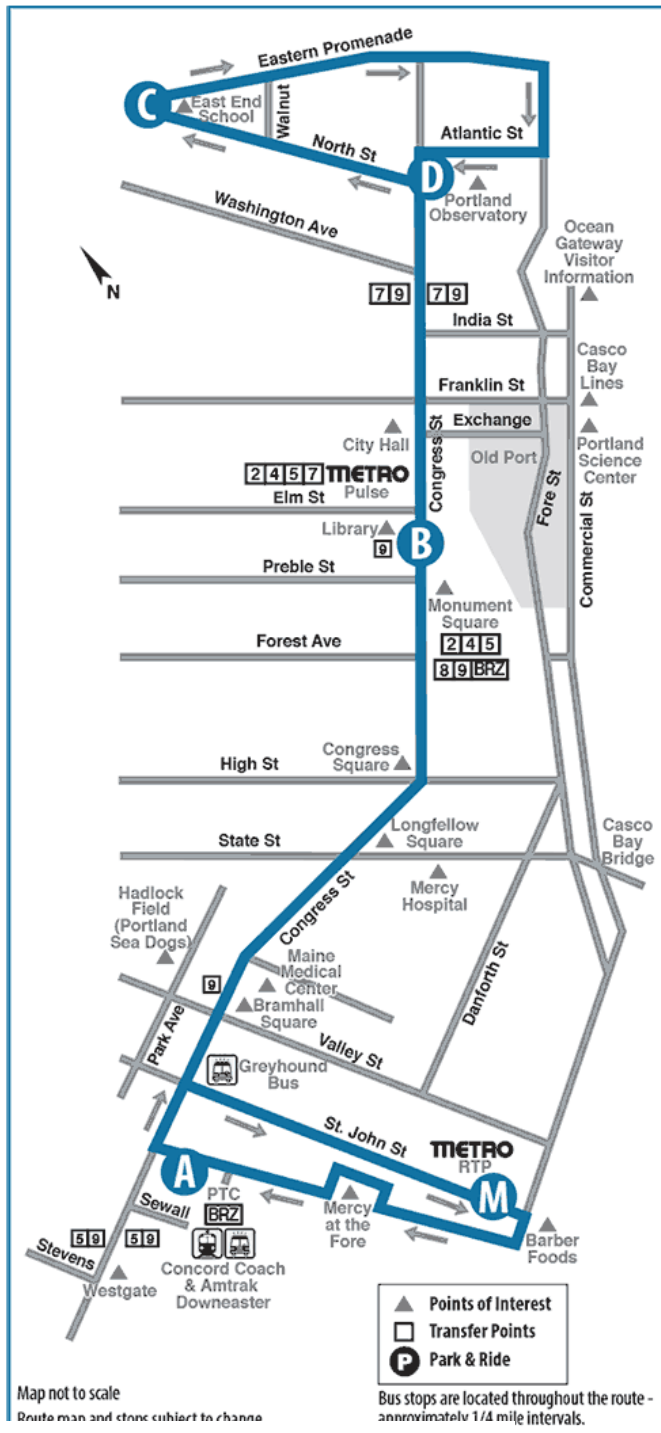


Figure 4: METRO Route 1

In the final submittal, the applicant has provided a plan for accommodating load-ins at this overhead door (*Attachment O*). The conditional zoning 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. Mr. Errico has reviewed the plan and indicated his approval.

*c. Public Transit Access*

Greater Portland METRO’s Route 1 extends up and down Congress Street into Munjoy Hill, where the route proceeds in a clockwise loop around the East End, first on North Street past the East End School, along the Eastern Promenade, and then up Atlantic Street (one block south of Munjoy Street) back to Congress. Though the St. Lawrence is not located directly on this route, the Route 1 has three stops proximate to the St. Lawrence, at North and Congress Streets, Lafayette and Congress, and Atlantic and Monument Streets. Headways are thirty minutes between 5:15 a.m. and 8:45 p.m., with decreased frequencies after 9. Sunday headways are one hour.

Since the St. Lawrence is not located directly on a transit route, they are not required to provide transit accommodations. However, in their Transportation Demand Management (TDM) Plan (*Attachment M*), the St. Lawrence has proposed to provide an annual contribution of \$70,000, to be directed to METRO, to enhance and expand existing service on Route 1, which would permit METRO to improve evening headways to 15-20 minutes and offer service to 11 p.m., Monday through Saturday. In addition to the contribution to METRO, the St. Lawrence is proposing to subsidize transit passes for ticket holders, allowing patrons to use their ticket as valid bus fare.

d. *Parking*

The St. Lawrence's conditional zoning agreement states that the requirements of a TDM plan "supersede any and all parking requirements of the land use code for the property." However, given neighborhood concerns raised through the conditional zoning agreement review, and at the request of the city's traffic engineer, the applicant has made an effort to show the potential impact of patron parking on the surrounding on-street parking supply. (*Attachment K*). This analysis develops parking ratios based on survey data from recent shows at the St. Lawrence, and arrives at a total projected patron demand, at peak occupancy, of 158 spaces. This figure is below that from the original Parking Demand Management Plan developed in association with the conditional zoning agreement, which projected a total demand (including staff) of 228, but greater than that suggested by the city's TDM peer reviewer for the conditional zoning agreement review, Nelson-Nygaard, who developed an estimate of 122 based on ITE parking generation rates. Mr. Errico has reviewed the parking study methodology and writes,

*The general estimate of a parking demand rate for the facility should be calculated according to the number of vehicles compared to the number of attendees at each of the surveyed events. Based upon the data supplied by the applicant for events that occurred on Tuesday, February 28, 2017; Tuesday, April 4, 2017; Wednesday, April 26, 2017; Saturday, April 29, 2017; Friday, May 5, 2017; Saturday, May 6, 2017; and Sunday, May 7, 2017, the average number of vehicles generated by each attendee is 0.4 vehicles. This rate corresponds well with ITE Parking Generation Rates (0.4 parking spaces per seat or attendee) and a parking survey conducted as part of the Contract Zone process on December 12, 2013 (0.4 parking spaces per seat or attendee). A parking survey was conducted on October 25, 2013 and determined a parking rate of 0.54 vehicles per seat or attendee. My general conclusions is that parking demand for a sold out event of 485 seats would be approximately 194 vehicles.*

As with the parking study developed along with the conditional zoning agreement, the St. Lawrence has provided the results of a parking utilization study conducted in April of 2017. This study, which surveyed on-street parking spaces within a 5-minute walk of the St. Lawrence, showed a total on-street supply of approximately 880 spaces, between 65% and 72% of which were occupied during recent show times (with 572 and 636 spaces occupied, respectively). Of all the April occupancy counts, the highest (taken on an early Sunday morning) continued to leave approximately 220 on-street spaces within a 5-minute walk of the St. Lawrence available. This capacity is considerably greater than the total parking demand projected by the applicant's consulting engineer (158 spaces) and above that of Mr. Errico (194 spaces) as well.

The applicant has proposed to modify on-street parking on Congress Street to include a 40-foot drop-off zone directly in front of the entrance at the southerly end of the block and five on-street spaces in the space between this zone and the Congress/Beckett Street corner. The drop-off zone would be used during show times only. Mr. Errico writes,

*The City does not recommend a continuous 5-minute parking regulation in front of the site. City staff would prefer to provide longer time parking opportunities for the neighborhood during non-event time periods. Temporary 5-minute parking regulations will be permitted during events via portable signs.*



e. *Transportation Demand Management*

As required under the conditional zoning agreement, the applicant has included an updated Transportation Demand Management Plan in the preliminary submittal (*Attachment M*). The applicant developed this plan based on the draft included by reference in the conditional zoning agreement. As with the original plan, the current TDM plan includes a number of mechanisms designed to foster use of alternative modes and thus reduce SOV trips and parking demand. The St. Lawrence proposes the following:

- *METRO subsidies and transit incentives:* The central strategy of the TDM plan is a \$70,000 annual subsidy to METRO to improve its Route #1 service, both in terms of arrival frequencies and extended hours. METRO has stated that this \$70,000 would be sufficient to increase evening headways from 45 minutes to 30 minutes and extend service to 11 p.m. Monday through Saturday (*Attachment N*). 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. The lobby of SLA would be designed to include a display screen with real-time tracking information, allowing this area to effectively serve as a waiting area.
- *Valet parking:* The TDM plan also includes front-door valet service for patrons, with “simple incentives” at point of ticket purchase. Cars would be stored in remote lots.
- *Bicycle and pedestrian infrastructure:* The St. Lawrence proposes to encourage bicycling by providing racks with 20 bicycle parking spaces in front of the building on Congress Street and becoming a Bicycle Benefits partner. They also propose pedestrian infrastructure improvements, such as sidewalks and crosswalks.
- *Free market options:* The TDM plan also notes the existence of other mode choices, such as cabs, pedicabs, and TNCs, which will be available to patrons.
- *Rideshare:* The TDM plan states that the St. Lawrence will offer discounted tickets for carpooling patrons and will facilitate ridesharing by developing one-time ride-matching services in conjunction with GoMaine.
- *Overall incentives:* In addition to discounted ticket pricing for those who use alternative modes, the TDM Plan proposes an incentive campaign with monthly raffles for the first year of operation.
- 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, at a kiosk on site, and through consistent and regular communication with their patrons. The plan also includes a marketing campaign.

Lastly, the plan includes the designation of a TDM coordinator and provisions for immediate and long-term monitoring. The plan specifies monitoring to begin one month after opening and twice annual monitoring thereafter for five years. Annual monitoring would occur subsequently. Through surveys, ridership tracking, and valet data, the St. Lawrence would monitor mode choice and the potential for mode shifts. Ultimately, the goals of the TDM plan are to reduce trips and parking demand by 6-10% in the first year.

Mr. Errico has reviewed the TDM plan and writes,

*The TDM Plan notes a number of incentives for reducing vehicle impacts. I would suggest some detail (likely amount or percentage) on ticket discounts and coupons be provided.*

*It notes that SLAC will be partnering with the City on infrastructure improvements. Further detail on what is envisioned regarding this partnership and possible commitments should be provided.*

*The applicant should provide details on the ticket surcharge (likely amount or percentage) and specifically describe how the surcharge proceeds will be managed/allocated towards TDM strategies.*

*It is noted that METRO “could” further increase evening service. It is my understanding that METRO service will increase evening service and therefore the applicant should confirm this assumption.*

*The applicant should note why only the Temple Street garage is the only facility eligible for a subsidy. Additionally, the applicant should note why free parking is limited to three hours (dinner plus event could be more than 3 hours).*

*The applicant should provide greater detail on the anticipated Valet service program at the first event and details on specific operations and how the service is funded? Related to this is the relatively far distance to the parking lots for valet vehicles and how this may impact service and use.*

*The applicant should provide details on the bicycle ticket discount program.*

A condition of approval related to final modifications of the TDM plan has been included.

## 2. Environmental Quality Standards

### a. Preservation of Significant Natural Features

There are no known significant natural features on the site.

### b. Landscaping and Landscape Preservation

The conditional zoning agreement requires two street trees along the Munjoy Street, Beckett Street, and Congress Street frontages. Each of these frontages currently has two or more trees, although one on Munjoy Street will need to be eliminated in order to allow room for the overhead door. This tree is proposed for replacement with an Armstrong maple. The landscaping plan shows other landscaping on the Beckett and Munjoy Street frontages, including miscanthus and hakonechloa grasses. Clematis and honeysuckle are proposed for the eastern property line. Jeff Tarling, the city’s arborist, has reviewed the plans and verbally indicated his approval.

### c. Water Quality/Storm Water Management/Erosion Control

Although the area of the proposed St. Lawrence expansion is currently undeveloped, it is the site of the former church sanctuary, and the city’s records indicate that it has been assessed as impervious area since the sanctuary demolition. As such, the proposed expansion is not deemed to change the quantity

of existing impervious surface on site (*Attachment I*). The applicant has not proposed any stormwater quality treatment measures. Roof drains are proposed to surface discharge, as requested by the city's consulting civil engineer.

3. *Public Infrastructure and Community Safety Standards*

a. *Consistency with Related Master Plans*

The project is generally deemed consistent with related master plans.

b. *Public Safety and Fire Prevention*

Keith Gatreau, Assistant Fire Chief, has reviewed the plans and has not requested any modifications (*Attachment 5*).

c. *Availability and Capacity of Public Utilities*

The applicant has provided evidence of water and wastewater capacity (*Attachments G and H*).

4. *Site Design Standards*

a. *Massing, Ventilation, and Wind Impact*

The bulk, location, or height of the proposed buildings are not likely to result in health or safety problems from a reduction in ventilation to abutting structures.

b. *Shadows*

The project is not anticipated to result in shadows on publicly accessible open space.

c. *Snow and Ice Loading*

The project is not anticipated to result in snow or ice accumulation on public ways or adjacent properties.

d. *View Corridors*

The project does not abut a protected view corridor.

e. *Historic Resources*

The St. Lawrence is a historic property on the National Register of Historic Places. As such, development on the site is subject to Historic Preservation review. The city's Historic Preservation Board previously reviewed preliminary architectural plans for the St. Lawrence addition. Final approval by the Historic Preservation Board has been suggested as a condition of approval.

f. *Exterior Lighting*

In the final submittal, the applicant has provided a draft lighting plan (*Plan 21*) and cut sheets (*Attachment Q*). This lighting plan will require further refinement, including an analysis of the plan with respect to the *Technical Manual* standards and an examination of the way in which the addition lighting is anticipated to relate to the existing exterior lighting on the Parish Hall. The final exterior lighting plan has been suggested as a condition of approval.

Likewise, the plan shows two street lights on Congress Street, which are specified as Downtown fixtures in the final plans. Planning staff are currently working on updating the city's *Technical Manual*, and it is anticipated that the lights specified on this portion of Congress Street may change. As such, final street lighting specifications have been suggested as a condition of approval.

*g. Noise and Vibration*

In the final submittal, the applicant has provided a roof plan showing that rooftop mechanicals will be screened from the public right-of-way.

*h. Signage and Wayfinding*

Signage will be reviewed under a separate sign permit by both Zoning and Historic Preservation.

*i. Zoning-Related Design Standards*

The conditional zoning agreement incorporates a set of elevations and floor plans by reference. These have been resubmitted with the site plan application (*Plans 10-20*). 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 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. The Friends of the St. Lawrence have not yet submitted drawings to the Historic Preservation Board for final design review. The Historic Preservation Board has generally given positive indications of their support for the design.

## **XII. RECOMMENDATION**

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the proposed St. Lawrence Arts Center addition at 76 Congress Street.

## **XIV. PROPOSED MOTIONS**

### **A. WAIVERS**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on January 23, 2018 for application 2016-265 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

1. The planning board [finds/does not find], based upon the consulting transportation engineer's review, that extraordinary conditions exist or undue hardship may result from strict compliance with the *Technical Manual* standard (*Section 1.7.2.7*) which requires that along arterials, collectors, and local streets, minimum acceptable spacing between driveways shall be 100-150 feet, depending on speed limit, that substantial justice and the public interest are secured with the proposed variation in this standard, and that the variation is consistent with the intent of the ordinance. The Planning Board [waives/does not waive] the *Technical Manual* standard (*Section 1.7.2.7*) to allow the driveway cut on Munjoy Street approximately 20 feet from the adjacent driveway to the south as shown on the final plans.

### **B. TRAFFIC MOVEMENT PERMIT**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on January 23, 2018 for application 2016-265 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the proposed plan [is/is not] in conformance with 23 MRSA 704-A and Chapter 305 Rules and Regulations pertaining to Traffic Movement Permits.

**C. DEVELOPMENT REVIEW**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on January 23, 2018 for application 2016-265 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan [is/is not] in conformance with the site plan standards of the land use code and [approves/does not approve] the application, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall provide recorded copies of all required easements and licenses, including:
  - i. A public access easement from the applicant to the City of Portland for areas of sidewalk that are proposed on private property;
  - ii. A license from the City of Portland for purposes of the Thompson Memorial plaque; and
  - iii. A license from the City of Portland for footings proposed in the right-of-way for review and approval by Corporation Counsel, the Department of Public Works, and the Planning Division;
2. The applicant shall provide evidence of financial capacity from a financial institution for review and approval by the Planning Division;
3. The applicant shall provide a final construction management plan for review and approval by the Department of Public Works and the Planning Division;
4. The applicant shall provide a revised site plan including:
  - i. Details required to determine ADA compliance of sidewalk and driveway ramps with respect to grades and clearances for review and approval by the Department of Public Works;
  - ii. Street lighting as specified on Congress Street per pending revisions to the city's Technical Manual;
5. The applicant shall provide a revised TDM plan addressing the comments of the city's consulting traffic engineer for review and approval by the Department of Public Works and the Planning Division;
6. The applicant shall provide evidence of a Certificate of Appropriateness from the Historic Preservation Board; and
7. The applicant shall provide a final site lighting plan including photometric calculations compliant with the City of Portland *Technical Manual* and a plan for integration with the Sanctuary for review and approval by the Planning Division.

**XIII. ATTACHMENTS****PLANNING BOARD REPORT ATTACHMENTS**

1. Traffic Engineer review (memo from Thomas Errico, 1/15/18)
2. City Arborist review (memo from Jeff Tarling, 12/20/16)
3. Civil Engineer review (memo from Lauren Swett, 12/27/17)
4. Civil Engineer review (memo from Lauren Swett, 1/8/18)
5. Fire Prevention Bureau review (memo from Keith Gautreau, 12/21/16)

**APPLICANT'S SUBMITTALS**

- A. Cover Letter (from Tom Greer, 11/18/16)

- B. Authorization Letter
- C. Level III Site Plan Application
- D. Evidence of Right, Title, and Interest
- E. Financial Capacity Letter
- F. Recorded Contract Zone
- G. Wastewater Capacity Letter
- H. PWD Capacity Letter
- I. Stormwater Narrative
- J. TMP Application
- K. Traffic and Parking Demand Assessment
- L. Supplemental TMP Information
- M. TDM Plan
- N. METRO letter (from Greg Jordan, 9/17/14)
- O. Truck Loading Memo
- P. Neighborhood Meeting Minutes
- Q. Lighting Cut Sheets

**PLANS**

- Plan 1 Boundary & Topographic Survey
- Plan 2 Site Plan
- Plan 3 Existing Conditions & Demolition Plan
- Plan 4 Grading & Utilities Plan
- Plan 5 Erosion Control Plan
- Plan 6 Landscape Plan
- Plan 7 Sidewalk Ramp Details
- Plan 8 Details
- Plan 9 Details
- Plan 10 Basement Plan
- Plan 11 First Floor Plan
- Plan 12 Upper Theater Level
- Plan 13 Upper Theater Level Continued
- Plan 14 Promenade Floor Plan
- Plan 15 Roof Plan
- Plan 16 North Elevation
- Plan 17 West Elevation
- Plan 18 South Elevation
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- Plan 20 Building Section
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