



Memorandum

Planning and Urban Development Department

Planning Division

To: Chair Dundon and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: June 8th, 2018

Re: Level III Subdivision and Site Plan:
New 8-unit: 7 residential and 1 commercial condominium (3-stories)
28 Vannah Avenue

Project # PL000030-2018
Vannah White, LLC, Applicant

Meeting Date: June 12th, 2018

I. INTRODUCTION

Vannah White LLC (Thomas Greer) is requesting the Planning Board to consider a Level III Subdivision and Site Plan application for a new eight-unit building at 28 Vannah Avenue, near the Woodford's Corner intersection of Forest Avenue and Ocean Avenue.

The proposed ground floor comprises one commercial unit in the front part and an ADA accessible residential unit in the rear. Six residential units (one and two bedroom) are proposed for the two upper stories. The new building is 3 stories (approximately 35ft in height) with a footprint of 3150 sq ft and total floor area of 9100 sq ft.

The site is currently occupied by a residential style commercial building with a large parking area, and most of the site is within the B1 zone that provides a buffer between the B2 zone to the west and the surrounding R3 (see plan on page 4).



A total of 237 notices were sent to property owners within 500 feet of the site and interested parties, and a legal ad was published in the *Portland Press Herald* on June 4th and 5th, 2018. The required Neighborhood Meeting was held on May 23, 2018 and attended by 10 neighbors. The Meeting Certificate and notes are included in Attachment U.

Applicant: Vannah White, LLC (Thomas Greer)

Consultants: Engineer: Thomas S Greer, PE
Architects: Whipple Callender Architects

Required Reviews and Waivers:

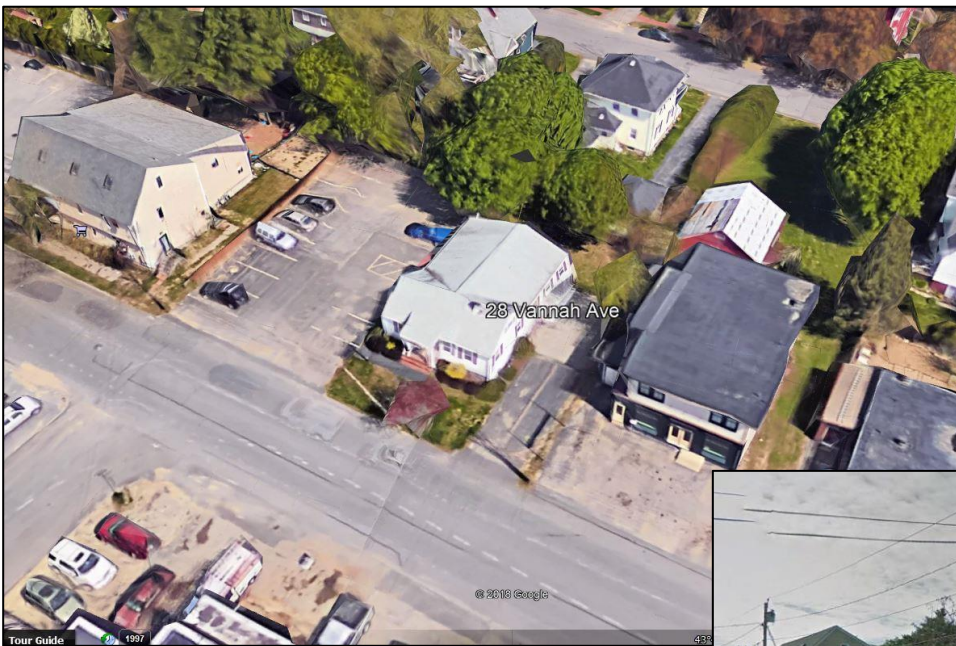
Review	Applicable Standards
Subdivision: Construction of new building with 7 residential dwelling units and 1 commercial unit	<i>Section 14-497</i> for the creation of 8 units.
Site Plan: Multifamily development	<i>Section 14-526</i> for the proposed multifamily residential development.
Waiver Requests to Planning Board	Applicable Standards
Compact Parking Spaces: The applicant proposes 4 compact vehicle parking spaces as part of the 17 total spaces (23.5%) (see applicants waiver request in Att 5)	Technical Standard 1.14 <i>Parking Lot and Parking Space Design</i> requires that any parking lot with more than 10 spaces may be comprised of up to 20% compact parking spaces. The City’s Traffic Engineer Reviewer supports this waiver but requires that the one nearest the driveway be converted to a full length space (Att 5).

II. PROJECT DATA

SUBJECT	DATA
Existing Zoning	Primarily B1; strip along back boundary is R3
Existing Use	Offices and parking
Proposed Use	Commercial/residential
Total Area of the Site	10,500 sq ft
Proposed Disturbed Area of the Site	10,500 sq ft
Impervious Surface Area - Existing	7,867 sq ft
Impervious Surface Area - Proposed	8,380 sq ft
Building Footprint - Existing	1,552 sq ft
Building Footprint - Proposed	3,150 sq ft
Building Floor Area - Existing	1,552 sq ft
Building Floor Area - Proposed	9,100 sq ft
Number of lots proposed	8 (1 commercial; 7 residential)
Residential Units- Existing	0
Residential Units- Proposed	7
Residential Bedroom Mix:	two 1-BR; five 2-BR
Parking Spaces - Existing	17
Parking Spaces - Proposed	17 (incl 1 handicapped parking space)
Bicycle Parking Spaces - Existing	0
Bicycle Parking Spaces - Proposed	4 (2 bike racks shown on site plan, with 2 bikes each)
Estimated Cost of Project	\$1,200,000

II. EXISTING CONDITIONS

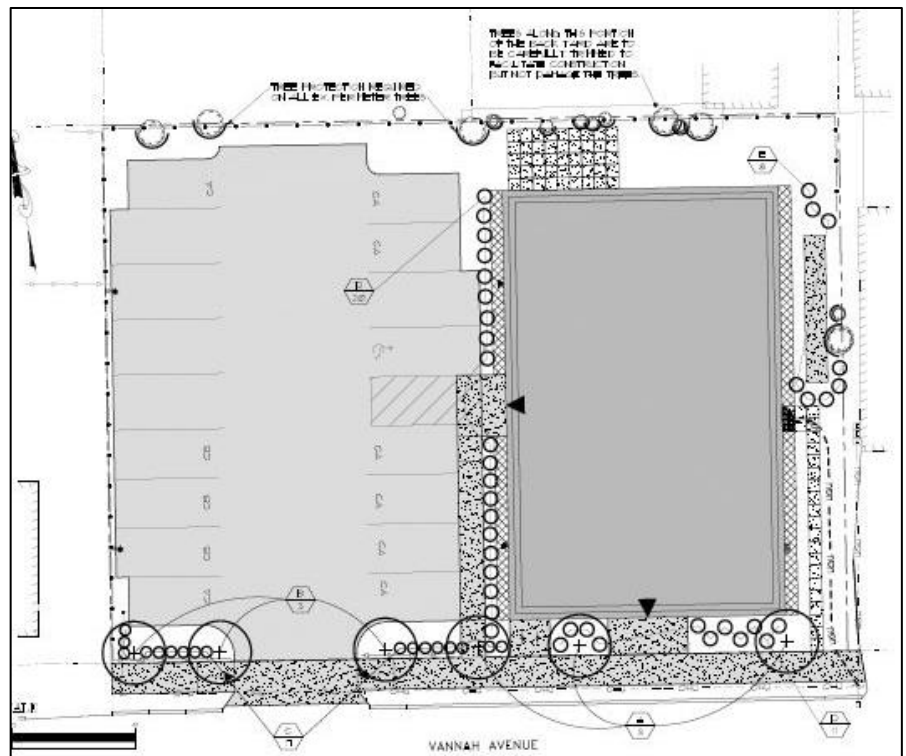
The applicant has submitted photographs of the existing site in [Attachment T](#) and a boundary survey in [Plan P1](#). The relatively flat site is bounded to the north by the R3 zone and residential properties. To the west is an existing building used for offices, day care and personal services. To the east is a mixed use building with retail on the ground floor and two residential units above (also in B1 zone).



IV. PROPOSED DEVELOPMENT

The proposal is for a new 3 story gabled building (with basement) on the site of the existing building, with the parking lot approximately as existing with existing trees preserved around the perimeter and a new sidewalk, street trees and landscaping along the frontage.

The proposal includes fencing around three sides of the project: the west and north sides (and small part of the east side at rear) are white PVC stockade style fencing; at the front along the back of the sidewalk (in front of the trees) is a black vertical metal decorative fence at 4 feet in height. Other site features include a communal patio at the rear and HVAC compressors along the east side.



V. ZONING ASSESSMENT

The site is primarily within the B1 zone, with an 8 foot wide strip along the back boundary within the R-3 zone as illustrated below and shown on the Site Plan in Plan P4:

Uses: The proposed uses are permitted within the B1 zone, which allows multifamily dwellings above the first floor where a commercial use is on the first floor. Multifamily dwellings are also allowed on the first floor where a minimum depth of 25 feet along the principal street frontage is maintained for commercial uses; the proposed commercial space meets this requirement.

Under the Fair Housing Act the first floor unit must be accessible and the site plan ([Plan P.4](#)) and ground floor plan ([Plan P11](#)) address the accessibility requirements although this should be confirmed in a narrative.



The B1 zone requires that if the commercial space is used as retail or restaurant there are restrictions on the times of opening and deliveries.

Dimensional Requirements: The submissions document that the proposal meets all of the dimensional requirements except regarding height. The applicant should submit an analysis of the final grades and average grade, and show the height dimensions of the building in relation to the average grade. The civil plans reference finished grades that are not consistent with the architectural plans. However, the site is fairly flat and the proposed building appears to be approximately 35 feet (the maximum allowed); this will be verified as part of the final review.

Parking Requirements: The applicant has proposed 17 parking spaces. There are 7 residential units and a commercial space of about 1500 sq ft in the proposed building (the area of the commercial space needs to be confirmed by the applicant) .

The ordinance specifies the following (summarized):

- **Residential:** 2 spaces per unit (14 required)
- **Retail:** 1 parking space /200 sq ft of first floor area in excess of 2000 sq ft (0 required)
- **Restaurant:** 1 space for each 150 sq ft not used for bulk storage or food preparation (up to 8 or 9 required)
- **Offices; professional:** 1 space for each 400 sq ft exclusive of cellar, not used for bulk storage (up to 3 or 4 required pending verification of the floorspace)

The applicant may intend the ground floor commercial unit to be retail or offices, and in that case the parking provision appears to meet the zoning requirement subject to the confirmation of the floorspace. If at some stage the ground floor space was used or converted to a restaurant use, then the on-site parking provision appears to be inadequate. This issue will require further discussion and potentially a condition to ensure that the parking meets the ordinance requirements.

VI. STAFF REVIEWS

A. SUBDIVISION REVIEW (14-497(a). Review Criteria)

The applicant has submitted a draft Subdivision Plat (Plan P2) which has not been reviewed in detail but appears comprehensive. Condominium Documents will need to be submitted as part of the final submissions.

The proposals have generally addressed the subdivision standards, with the following items still to be addressed:

2 & 3. Adequacy of Water Supply

The applicant has not yet provided evidence of capacity from the Portland Water District and this would need to be part of the final submissions.

6. Sanitary Sewer/Stormwater Disposal

The proposal increases the impervious surface by 513 sq ft and the Peer Engineer Reviewer has requested additional information to clarify the grading and assess the stormwater management proposals (Attachment 2).

B. SITE PLAN REVIEW

The proposed development generally meets the site plan standards except as noted below:

1. Transportation Standards

Circulation

The proposed commercial space on the ground floor is proposed as retail (though business shown on floor plan) and could become a restaurant or other business. These uses would generate deliveries and the Traffic Engineer Tom Errico has commented (Attachment 5):

- *The applicant should provide details for how truck deliveries will be accommodated.*

Parking

- Vehicular: The proposed parking provision of 17 spaces has been achieved by the inclusion of 4 compact spaces. The applicant has requested a waiver for the percentage of compact parking spaces, but the Traffic Engineer Reviewer is less concerned about the number than the location. One of the compact spaces is located near the access driveway and presents a safety concern. This compact space has been designed as compact in order to avoid the guy wire for the nearby utility pole - staff recommend that the guy wire be reconstructed to be fully within the 6 ft landscaped area and thus avoid this parking space, which would allow it to be full sized.

The Traffic Engineer Tom Errico has commented (Attachment 5):

- *Given site conditions, that the project nearly meets City requirements, and some compact parking spaces exceed City dimensional requirements, I support a waiver from the City's Technical Standards for the number of compact spaces on the site.*
- *It is recommended that the compact space near the driveway entrance be lengthened by 2 feet and the CMP pole guy wire be adjusted accordingly.*
- *It appears the parking aisle width does not meet City standards to the rear of the parking lot. The applicant should provide a formal waiver request with supporting documentation.*

- **Bicycle:** The ordinance requirement is 2 spaces per 5 dwelling units and 2 bicycle parking spaces for every 10 required vehicle parking spaces for non-residential. The applicant has shown two bike racks (4 bicycle spaces) on the revised site plan and staff consider that this provision meets the ordinance requirements.

Construction Management Plan

The applicant has submitted a Construction Management Plan narrative and plan (Att L and Plan P8). Staff reviewers have provided comments (Attachment 2) and the final Construction Management plan should address these comments.

2. Environmental Quality Standards

Landscaping and Landscape Preservation, Parking Lot Landscaping and Street Trees

The proposal retains all of the existing trees on the site, adds 6 new trees along the frontage at the back of the ROW, and adds other planting along the front and around the building (see Landscape plan in Plan P5. and above under “proposed Development”

The proposal includes “buffer” fencing around three sides of the project: the west and north sides (and small part of the east side at rear) are white PVC stockade style fencing; at the front along the back of the sidewalk (in front of the trees) is a black vertical metal decorative fence at 4 feet in height. The public comment (PC1) questions the need for fencing (favoring more landscaping instead); the open vertical design of the frontage fence and its low height (4 feet) may allow the landscape to be viewed.

Jeff Tarling, the City’s Arborist, is generally supportive of the proposed tree preservation and landscaping; he has indicated he has several minor suggestions and his written comments will be circulated at the Workshop.

3. Public Infrastructure and Community Safety Standards

Consistency with Related Master Plans

The proposal includes a new concrete sidewalk that accords with the City’s material policy and includes curbing. The applicant has agreed to extend the sidewalk a short distance beyond the applicant’s frontage (to the east) to connect with the existing sidewalk.

To the west there is a missing section of sidewalk and a section in poor condition, and the City will be upgrading these sections within about a year which will provide an improved sidewalk connection between the new development and Forest Avenue.

Public Safety and Fire Prevention

The Fire Department has reviewed the proposals in terms of public safety and fire prevention (Attachment 2). Initially there was a concern regarding life safety access to the residential upper floors of the abutting building that is about 5-6 feet away from the compressor pad. The Fire Department looked into this more closely and confirmed that they are satisfied with the emergency access along the boundary (Attachment 4).

4. Site Design Standards

Noise and Vibration

The applicant originally proposed that the HVAC compressors be located along the rear boundary and staff suggested (Attachment 1) that they be located away from the residential zone. The revised plan shows these as relocated along the side of the building at the rear.

Since then staff have learned that there are residential units above the building at the side. The applicant should submit sound information to confirm that the compressors meet the B1 sound requirements as they are so close to the boundary and there is no fence at this location. Further discussion is required to determine whether there may be less impact if the compressors were to be located at the rear within the boundary fence or whether additional noise attenuation would be recommended if they are at the side.

Zoning-Related Design Standards (B1 zone)

The photograph below provides an indication of the context for the project:



The proposed building is illustrated in the rendering below:



1. B1 Design Standards

The project is located mainly in the B1 zone and the City's Urban Designer has provided a Design Review Memo (see Attachment 3 and extracts below) that questions the gable design as it appears out of proportion and top heavy, and recommends a flat roof.

The applicant has not revised the building design and has explained the basis for retaining the initial gabled design in the "response to comments (Attachment V), as quoted below:

1) *Pitched Roof: It was unanimous at the neighborhood meeting that they preferred the pitched roof. They cited the new building at the corner of Ocean and Hershey as a building style they did not like. This pitched roof design was carefully considered. The staff comments summarized as requesting "a box structure with a plain entrance". Changing to the flat roof and removing the entrance details will create a big square box with little variation and no neighborhood feel.*

The pitched roof, with the gables and eaves, break up the facade and reduce the overall appearance of the height and size of the building. The third floor also steps back to again reduce the appearance of height.

We have provided banding at the first floor with a change in siding color to emphasize the commercial space and provide interest to the building design. The front entrance was designed to provide a higher quality of architectural design to the building.

Extract from the Design Review Comments (Attachment 3) : *(questions and unmet standards in red)*

- *Provide information about the material selection and label materials on the elevations*
- *Clarify discrepancies between site plan and architectural plans – especially for fences, pads, and mechanical systems*

Standard (1) f. Building Design – *Building design conveys its commercial/mixed use nature. Use of office-front is consistent with commercial buildings on this street. Staff question the use of a gable roof when such large dormers are also being introduced, especially since the building is so wide that the proportion of the gable moves away from the residential character. The building form is top-heavy with the large dormers and the eave at the second floor. Staff recommend a flat roof, which would be appropriate for a three-story, mixed-use building type, as well as appropriate given the width and proportion of the building overall and does not preclude the use of articulation and detail to add visual interest. At the very least, the second story eave should be removed which contributes to the top-heavy feel of the form. The office use is differentiated on the façade through the use of the office-front windows, the change of material, and the trim delineating the ground from the upper floors. These elements are adequate in conveying the different uses – a gable roof is not necessary to convey the residential use or to try and fit into the residential context which happens to include a variety of roof forms (including flat roofs). Staff find the design of the office entry to be too formal for the overall character of the building and the neighborhood character – this should be revised, possibly to simplify the columns and the pediment roof.*

Standard (1) g. Building Materials – *Staff requests more information about the proposed materials in order to evaluate the proposal. The project appears to use clapboard of two different reveals with panel as an accent – these would be appropriate material choices. The surrounding context uses clapboard and brick primarily.*

Standard (1) h. Building Scale – *Building is three stories with a gable/dormer roofline. There is a two-story mixed-use building between this site and the residential buildings on the street.*

The existing scale of commercial and mixed-use buildings on Vannah Ave is typically one story or two to three stories for mixed-use with the majority of buildings being too short compared with the street width. Therefore, staff support new development that is appropriately scaled (meaning taller) for the street and for a mixed-use urban corridor and finds three stories meets the standard (as well as the zoning). In addition, this project has some massing variation at the third floor that varies the height of the building at the street.

2. Multi-family and Other Housing Types Design Standards

In addition, there are design standards that apply to all multifamily development including this proposal. These are more general standards that include design standards as well as several other standards as listed below with staff comments.

(i) TWO-FAMILY, SPECIAL NEEDS INDEPENDENT LIVING UNITS, MULTIPLE-FAMILY, LODGING HOUSES, BED AND BREAKFASTS, AND EMERGENCY SHELTERS:

(1) STANDARDS. Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts, and emergency shelters shall meet the following standards:

a. Proposed structures and related site improvements shall meet the following standards:

- 1. The exterior design of the proposed structures, including architectural style, facade materials, roof pitch, building form and height, window pattern and spacing, porches and entryways, cornerboard and trim details, and facade variation in projecting or recessed building elements, shall be designed to complement and enhance the nearest residential neighborhood. The design of exterior facades shall provide positive visual interest by incorporating appropriate architectural elements;*
- 2. The proposed development shall respect the existing relationship of buildings to public streets. New development shall be integrated with the existing city fabric and streetscape including building placement, landscaping, lawn areas, porch and entrance areas, fencing, and other streetscape elements;*

Staff comment: The proposals have been evaluated in the context of the B-1 Design Standards (above) which cover the design elements mentioned in standards 1 and 2 in greater detail. Please refer to the Design Review comments in Attachment 3.

- 3. Open space on the site for all two-family, special needs independent living unit, bed and breakfast and multiple-family development shall be integrated into the development site. Such open space in a special needs independent living unit or a multiple-family development shall be designed to complement and enhance the building form and development proposed on the site. Open space functions may include but are not limited to buffers and screening from streets and neighboring properties, yard space for residents, play areas, and planting strips along the perimeter of proposed buildings;*

Staff comment: A 10 foot by 18 foot common patio has been provided at the rear of the building, accessible from the handicap unit on the ground floor.

- 4. The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principal living areas and shall also provide sufficient storage areas;*

Staff comment: This standard appears to be met.

5. *The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets;*

Staff comment: The parking area is screened along the ROW frontage with a decorative fence and tree planting, and by PVC stockade fences elsewhere except along the eastern boundary.

VII. NEXT STEPS

The final submissions should address the staff comments and issues outlined in this Memorandum, along with addressing Board comments. These include:

- Resolution of design;
- Submission of additional information eg height calculations based on average grade; materials; area of the commercial space;
- Resolution of compressor location;
- Revisions to parking lot/frontage area to address parking space size/utility guy wire/ landscape /fencing comments;
- Address staff comments regarding parking aisle width; construction management plan; grading and drainage; truck deliveries;
- Clarification of handicap unit access and other ADA compliance;
- Submission of draft condominium documents and capacity letters.

ATTACHMENTS:

Attachments to the Memorandum

1. Prelim Staff comments 5.17.18
2. Peer Engineer, Fire and Planning comments 6.5.18
3. Design Review Memo 5.10.18
4. Fire comment update 6.6.18
5. Prelim Traffic Engineering comments 6.7.18
6. City Arborist comments
7. DPW comments

Public comments

PC 1 Tamara Jones 6.4.18

Applicant's Submittal

- A. Cover letter
- B. Table of Contents and List of Plans
- C. Application and checklist
- D. Right, Title and Interest and Easements
- E. Financial and Technical Capacity
- F. Description including location plan
- G. Zoning
- H. Easements

- I. Federal and State Requirements
- J. City Master Plans
- K. Fire Safety
- L. Construction Management Plan narrative
- M. Geotechnical Report
- N. Consistency with Master Plans (same as J)
- O. Solid Waste
- P. Utility capacity
- Q. Design Standards
- R. Lighting and HVAC
- S. Request for Waivers
- T. Architectural Street Views
- U. Neighborhood meeting Certificate and Notes
- V. Response to staff prelim review comments 5.29.18

Plans

- P1. Survey
- P2. Subdivision Plan (2 sheets)
- P3. Existing conditions
- P4. Site Plan
- P5. Landscape Plan
- P6. Grading and Utilities Plan
- P7. Erosion control Plan
- P8. Construction Management Plan
- P9. Details (2 sheets)
- P10. Architectural Cover Sheet
- P11. Ground Floor Plan
- P12. Elevations (2 sheets)
- P13. Building Section
- P14. Photometric Plans (2 sheets)