



PLANNING BOARD REPORT
PORTLAND, MAINE
977 Brighton Avenue
Senior Housing
Level III Site Plan and Subdivision Plan
2017-299
Applicant: Avesta Housing

Submitted to Portland Planning Board Public Hearing Date: July 24, 2018	Prepared by: Christian Roadman Date: July 20, 2018
--	---



Provided rendering of proposed 977 Brighton Project (image provided by applicant team)

I. INTRODUCTION

Avesta Housing seeks to construct a 40 unit apartment building for senior citizens. 34 units, or 85%, of the proposed units are intended to qualify as low income units for rent. Twenty-four (24) units will be affordable to a household earning 50% of area mean income and below, and 10 units will be affordable for a family earning 60% of area mean income and below. The remaining six units will be market rate. The project capitalizes on density bonuses as part of the Affordable Housing section of the Land Use Code.

The proposed project is located at the corner of Brighton Avenue and Wessex Street. Wessex Street is currently unfinished, and the project calls for a 28-foot wide street with sewer. This represents a change since the project's Planning Board workshop on April 24, and is intended to meet City standards.

28 parking spaces are proposed for the site. This represents a four-space reduction since the project's workshop, and reflects both the applicant's experience with other comparable projects and staff's desire to minimize impervious surface and wetland impacts. Under Division 20 (parking) eligible projects providing affordable housing may have a lower number of parking spaces per unit than otherwise allowed, as set by the board.

The applicant states that the project location is good for senior housing, as it offers access to transit along Brighton Avenue and proximity to shopping centers for both employment and commerce. This is one of the first projects to utilize the density bonuses and dimensional modifications available under the R-P Residence Professional zoning district. The project is larger and of a different use than many other buildings in the area – Brighton is a largely commercial corridor with office and retail uses. Single family residential neighborhoods are immediately adjacent.

After the Planning Board workshop, the applicant held a neighborhood meeting, provided a traffic study, and updated

their submission to reflect staff comments. The Planning Department scheduled this project for a public hearing on June 26, but the agenda item was tabled due to lack of a quorum; three Planning Board members are recused from this item.

The Land Use Code specifies that affordable housing projects receive expedited review. This report is an update of the report written in anticipation of a June 26, 2018 hearing. The applicant team responded to that report with updated submission materials. However, not all suggestions were addressed in the updated submissions. Additionally, City staff and third party reviewers did not have adequate time to provide thorough comments for all items. This is reflected in the suggested potential conditions of approval.

Applicant: Avesta Housing (Greg Payne)

Consultants: Walsh Engineering Associates (Tom Greer), CWS Architects (Ben Walter), Owen Haskell, Inc. - surveyor (John Schwanda)

II. REQUIRED REVIEWS

Waiver Requests	Applicable Standards
21 foot drive aisle width (portion of drive aisle parallel to Wessex Street). Tom Errico, P.E. supports the waiver.	Technical Manual, Section 1.14, requiring aisle width for right-angle parking be 24 feet (per Figure I-27)
35.71% compact parking spaces. Tom Errico, P.E. supports the waiver.	Technical Manual, Section 1.14, allowing parking lots with greater than 10 spaces to be comprised of 20% compact parking spaces
Sidewalk on one side of street. Tom Errico, P.E. supports the waiver.	Technical Manual, Figure I-1, requiring sidewalks on both sides of a local street
Existing utility poles along Wessex Street to remain above ground. The applicant is bringing the electrical lines underground to the site, but the existing overhead line that serves the dental office and homes on Wessex are proposed to remain. The cost of putting lines underground, particularly existing lines serving structures, is high and this is an affordable housing project. The Planning staff support a waiver of this standard.	Site Plan Ordinance, Section 14-526(c)(3)(b) - Electrical service shall be underground unless otherwise specified for industrial uses, or if it is determined to be unfeasible due to extreme cost, the need to retrofit properties not owned by the applicant or complexity of revising existing overhead facilities. Subdivision Ordinance, Section 14-499(h) - All utility lines shall be placed underground unless otherwise approved by the Planning Board.

Review	Relevant Code
Site Plan	Section 14-526
Subdivision	Section 14-497
Affordable Housing / Conditional Use	Sections 14-487, 14-488

III. PROJECT DATA

Existing Zoning	R-P Residence Professional, R-3 Residential
Existing Use	Commercial / Office
Proposed Use	Multifamily Residential
Proposed Development Program	34 affordable units, 6 market rate units
Bedroom Mix	All 1 bedroom
Parcel Size	32,000 sq. ft.

	Existing	Proposed	Net Change
Building Footprint (sq. ft.)	3,128	7,825	4,697
Building Floor Area (sq. ft.)	3,740	31,300	27,560
Impervious Surface Area (sq. ft.)	8,168	18,275	10,107
Parking Spaces	5	28	23
Bicycle Parking Spaces	0	16	16

Estimated Cost of Project	\$7,100,000
---------------------------	-------------

IV. EXISTING CONDITIONS

At present, a one story wood frame building and a separate two story wood frame building exist on the site. Both of these were used most recently for commercial purposes. The rear, or northernmost area of the site (approximately 4,000 square feet), is in the R-3 residential zone. The remainder of the site (approximately 28,000 square feet) is in the R-P residence professional zone.

The properties immediately west and east of the proposed building’s location are commercial or professional office buildings, but not large-scale buildings. Also north of Brighton Avenue are a number of nearby single family homes, including several along the unfinished Wessex Street. The Fred P. Hall Elementary School is to the northeast, within walking distance. West of the site, on Brighton Avenue, are Sagamore Village, commercial uses, and the Barron Center.

Brighton Avenue is a local arterial road which carries a significant amount of traffic. The intersection of Brighton Avenue and Wessex Street is not signalized. Approximately 500 feet further west, the signalized intersection of Brighton and Cabot Street / Rand Road provides pedestrian access to a bus stop and shopping center.

V. PROPOSED DEVELOPMENT

Avesta Housing proposes to build a 40 unit apartment building on the site, after demolishing the existing onsite buildings. The proposed building would be oriented towards Brighton Avenue, with entrances off that street as well as off the proposed parking lot on the rear / south of the site. The proposed building takes advantage of height and setback bonuses available for provision of affordable housing (Division 30). The proposed building height is approximately 49 feet tall at its north end and approximately 47 feet tall at its south end (both below the 50 foot maximum permitted with affordable housing density bonuses). The building as designed includes cement-fiber panels and planks. Every proposed unit is a 1 bedroom. Laundry machines are proposed on multiple floors onsite, and the proposed building includes a front office.

The proposed site plan includes a parking lot with 28 spaces, of which 12 are designated accessible spaces and ten are compact spaces (four spaces are designed as compact ADA spaces). The parking lot is the source of two waiver requests: reduced drive aisle width and increased percentage of compact spaces. The proposed parking lot extends into existing wetland, which would be partially infilled. The applicant included a permit from the Maine Department of Environmental Protection granting permission to alter the wetland. The applicant cited site geometry, maximization of onsite parking, and minimization of wetland impact as reasons for its waiver requests. 16 bicycle parking spaces, via 8 bicycle racks, are also proposed.

As part of the project, Wessex Street, which is currently unfinished, would be paved to City standards (28 feet) and sewer installed.

VI. Public Comment and Neighborhood Meeting

Prior to this project’s April 24 workshop, the Planning Department received four emailed comments. Two came from individuals who grew up on the street (one grew up in a building on the site). Both cited the history and age of the existing building facing Brighton Avenue, built in 1924, as reasons against demolition. It was the home and greenhouse location of Ameido Martelle, a Portland resident, as well as the home of Joe Martelle, a member of the Maine Broadcasters Hall of Fame. The greenhouse structures are no longer present on the property.

The third comment in opposition came from a neighbor on Brighton Avenue who raised concerns about traffic safety (entering and exiting Brighton Avenue without a traffic light at Wessex), the size and scale of the proposed building / parking lot, lighting impacts (loss of sunlight and impact of exterior lighting), and maintenance.

A fourth comment, received from the property owner on Brighton Avenue across Wessex Street, was neither in favor of nor in support of the project, but raised a number of issues. These included concerns about turning movements onto Brighton Avenue, potential use of the commenter’s property as a turnaround and/or pet-walking site, and the potential for shadow impacts. This commenter also expressed that paving of Wessex Street would be a positive development, and followed up with an email after the public workshop expressing appreciation for the project’s review process and how it is being conducted.

A sixth comment, also received after the workshop, expressed concern about traffic movements, wetland elimination, stormwater, and scale.

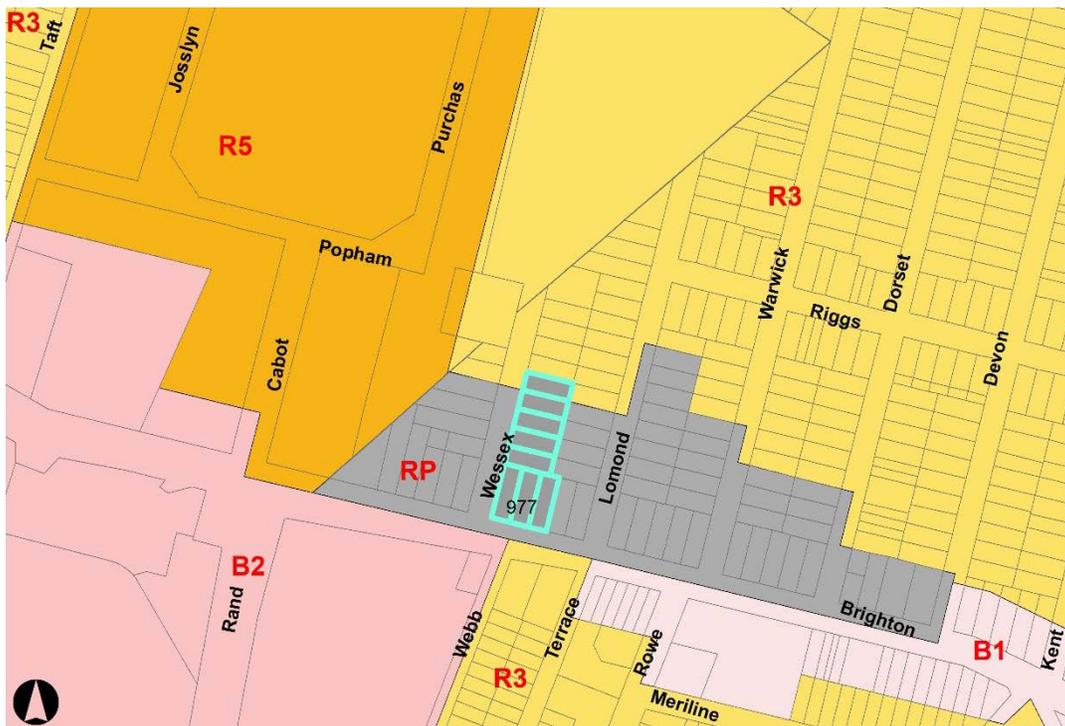
According to the applicant’s submitted documentation, eleven people attended their neighborhood meeting on April 26. The applicant highlighted two topics of concern / feedback in particular: stormwater and traffic movements. Attendees noted that additional pavement will increase stress on the existing system, and expressed interest in a left-turn lane for Wessex Street. A left turn lane is not included on the plans for the proposed project.

A shadow study (attachment Y) is included with the applicant’s current submission.

VII. RIGHT, TITLE, INTEREST AND FINANCIAL / TECHNICAL CAPACITY

The applicant submitted a warranty deed for three lots, and a quitclaim deed for two lots, which evidence ownership of the property in question.

A document provided by the applicant, Avesta, cites the organization’s 2,200 apartments and two assisted living facilities, as well as its \$195 million in assets, to evidence its capacity for successful project completion. The document lists anticipated funding sources for the project, including subsidies, low income housing tax credit, and loans.



Zoning context of proposed 977 Brighton Project. Associated project parcels are outlined in light blue.

VIII. ZONING ANALYSIS

Multifamily housing is not a use normally available under the R-P or R-3 zones, but is provided for in the R-P zone in the Affordable Housing section of the Land Use Code. Planning staff, in consultation with zoning staff, confirmed that 40 units are appropriate under the density bonuses allowable. The project also takes advantage of height and setback bonuses, which staff determined comply with zoning. Because part of the site (roughly 4,000 sq. ft.) is located in an R-3 zone, this square footage was omitted from the calculations pertaining to density bonuses.

According to the Parking section, Division 20, of the Land Use Code, the Planning Board may determine the parking required for affordable housing projects such as this one. The applicant cites previous experience with comparable affordable housing projects as support for the amount of parking requested, and provided traffic and parking studies. To address staff and board concerns regarding wetland / impervious surface impacts, the number of proposed spaces was reduced from 32 to 28. The reduction in spaces is consistent with the traffic and parking studies, and is supported by the City’s consulting traffic engineer, Tom Errico. His comments (Attachment 1) are addressed further

in the Transportation Standards section below.

All developments of ten units or more are conditional uses subject to Planning Board review on the condition that they comply with the requirements set forth in Division 30, Section 14-487 of the Zoning Ordinance. Victoria Volent, Housing Program Manager, determined that the project has met these requirements (Attachment 2). Ms. Volent recommends the Board approve this conditional use provided the applicant maintains a minimum of four units of housing at or below 100% area mean income. Should the applicant fail to maintain these minimum housing guidelines the applicant and the City should enter into an agreed upon affordable housing agreement.

IX. DEVELOPMENT REVIEW

A. SUBDIVISION (Section 14-497)

The proposed development prompts review for conformance with relevant standards of Portland's subdivision ordinance and applicable regulations.

1. Will Not Result in Undue Water and Air Pollution, and Will Not Result in Undue Soil Erosion; Will Provide for Adequate Sanitary Sewer and Stormwater Disposal, and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage

The Department of Public Works confirmed wastewater capacity for the project.

The City's civil engineering consultant, Lauren Swett, reviewed the applicant's submission for compliance with applicable codes, standards, and practices (Attachment 3). Comments requiring correction include:

- Flooding Standard: storage is modeled in a pond referred to Pond 21P: Culvert at Parking. It is unclear where this storage is located on the plans. Please clarify
- Applicant did not provide an ability to serve letter from Portland Water District

Review and approval of updated documents addressing the necessary revisions and submissions detailed in Ms. Swett's submitted memorandum (Attachment 3) by the Planning Authority and the City's consulting civil engineer is suggested as a **condition of approval**.

2. Sufficient Water Available

As mentioned directly above, the applicant did not provide evidence of capacity to serve from the Portland Water District. Such evidence is suggested as a **condition of approval**.

3. Will Not Cause Unreasonable Traffic Congestion

The applicant provided a traffic impact study estimating the total number of site trips generated by the project as eight trips during the morning peak hour and 11 trips in the evening peak hour. The study author recorded peak hour volumes entering / exiting Wessex Street as less than seven vehicles. They concluded that the existing transportation system can accommodate the added traffic demand within acceptable levels of service. They noted existing conditions resulting in delays on Brighton Avenue, and that traffic exiting Wessex Street is expected to experience "somewhat lengthy" delays during peak travel periods.

City traffic engineering consultant Tom Errico provided comments on this project (Attachment 1), which are addressed in the Transportation Standards section below.

4. Comprehensive Plan

The applicant identified the following local goals, drawn from the City's comprehensive plan, as applicable to the project:

- Increase, preserve, and modify the overall supply of housing City-wide to meet the needs, preferences and financial capabilities of all Portland households
- Encourage additional contextually-appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods

- Pursue policies to enable people who work in Portland to have the option to live in Portland
- Encourage quality, sustainable design in new housing development
- Adopt affordable housing: pursue new opportunities for increased energy efficiency, increased densities, mixed incomes, and greater connectivity to surrounding neighborhoods

B. SITE PLAN (Section 14-526)

The proposed development prompts review for conformance with relevant standards of Portland’s site plan ordinance and applicable regulations.

1. Transportation Standards

a) Impact on Surrounding Street Systems, Access, and Circulation; Sidewalks; Parking; Also: Construction Management Plan

The traffic study provided by the applicant team indicates that the existing transportation network can accommodate the proposed development. Tom Errico, the City’s consulting traffic engineer, reviewed the study. He noted in comments (attached) that traffic impact at the Brighton Avenue and Wessex Street intersection is expected to be minimal. He wrote that no mitigation action related to traffic impacts is required of the applicant.

The applicant is proposing a paved street width of 28 feet with granite curbs and a sidewalk along the project frontage. In the original application, there was a request to reduce the pavement width to 24 feet. The Department of Public Works and Tom Errico did not support that waiver. For the final application, the street width meets the city standard. The applicant is installing a sidewalk along the project frontage on Wessex Street and is seeking a waiver of installing a second sidewalk on the westerly side of Wessex. Mr. Errico expressed support for the waivers regarding provision of sidewalks on both sides of the street, percent of compact spaces, and drive aisle width. Mr. Errico also offered feedback expressing items which should be addressed or corrected:

- Total parking spaces: the applicant has conducted a parking study and I find the estimate to be reasonable. I support providing 28 parking spaces.
- Handicap parking spaces: the applicant has noted that the number of spaces is based upon their experience with a similar project and I find conditions to be acceptable. The applicant should provide a van accessible parking space or provide documentation that it is not required. I would note that some of the handicap parking spaces have a depth of 15 feet. *ADA standards do not note a parking space length requirement, but the applicant should provide documentation that the spaces meet ADA requirements* (emphasis added).
- Construction management plan: a revised construction management providing additional detail, particularly in regards to potential sidewalk closure and work in the Brighton Avenue right-of-way, shall be submitted for review and approval by the City’s consulting traffic engineer and the Planning Authority. (Please note, the current construction management plan is a revision, but is not currently acceptable).

Review and approval of updated documents addressing the necessary revisions and submissions detailed in Mr. Errico’s comments is suggested as a **condition of approval**.

b) Public Transit Access

The site is served by bus service on Brighton Avenue, which is one reason cited by the applicant for the location of this proposed development. A transit shelter serving inbound buses is located within a quarter mile of the development, so provision of a shelter is not required per City code.

The City’s transportation program manager, Bruce Hyman, suggested the applicant could upgrade curb ramps to ADA compliance at several locations to facilitate pedestrian movements to nearby bus stops (Attachment 4). Particularly, the applicant should improve the curb ramps at / between Wessex Street and to / across Cabot Street at Brighton Road. *While the applicant include the curb ramps at / between Wessex on their site plan, staff is not aware of documents detailing improvements to the curb ramps to / across Cabot Street at Brighton Road.* These improvements, and related documentation, are suggested as **conditions of approval**.

2. Environmental Quality Standards

a) Preservation of Significant Natural Features

As noted above, the project impacts a wetland and the applicant submitted a permit from the Department of Environmental Protection allowing its alteration. The applicant's original requests pertaining to drive aisle width and percentage of compact spaces cited their desire to minimize these wetland impacts.

The applicant reduced the project's parking spaces to 28, from 32 in the original submission. Staff indicated that additional parking lot modifications to reduce wetland impact were necessary, so the applicant submitted an updated site plan with further parking lot revision and less parking spaces in the wetland area.

b) Landscaping and Landscape Preservation

The project is subject to the street tree requirements of the Technical Manual, which direct multifamily residential projects to provide a minimum of one tree per unit. City staff interpret the plan to include 24 trees, which leaves 16 trees unaccounted for. The applicant can provide the remaining trees, or pay into the City's street tree fund at a cost of \$400 per unaccounted tree, totaling \$6,400. Satisfactory resolution of this issue is suggested as a **condition of approval**.

Jeff Tarling, the City's arborist, provided comments on the submitted landscape plan (Attachment 5). *He suggested the following items which have yet to be addressed:*

- Street trees:
 - *Along the non-wire side of Wessex Street, recommendation for shade trees such as 'Bowhall' or 'Armstrong' Red Maple*
- Interior landscape:
 - *Greenery should be a high priority for residents both for therapeutic reasons and to improve the livability of the project – consideration is recommended in this area*
 - *The back side of the building lacks any type of landscape feature, thus plantings and possible fencing should be better defined*
- Parking lot landscaping:
 - *The project lacks the standard number of plants for a parking lot. Recommend that additional landscape plantings be added – many groups of plants can survive in the often damp and regraded areas around the parking lot edge*

An updated landscape plan, to be reviewed and accepted by the City's Arborist and Planning Authority, is suggested as a **condition of approval**.

c) Water Quality, Stormwater Management and Erosion Control

Consulting civil engineer Lauren Swett's comments regarding these topics are addressed above, and her comments are attached (Attachment 3).

3. Public Infrastructure and Community Safety Standards

a) Public Safety and Fire Prevention

Division Chief Mike Thompson noted that the Fire Department has adequate capacity in the area for this project, and that emergency access for fire apparatus is available (attachment 6). He also noted that the building will need a sprinkler system.

b) Availability and Adequate Capacity of Public Utilities

As noted above, additional information confirming adequate water capacity is required. The applicant submitted a wastewater capacity authorization letter for the project.

The proposed project includes underground utilities from an existing utility pole on Wessex Street to the proposed

building, but does not underground the existing utility poles along its frontage on Wessex Street or Brighton Avenue. Staff supports a waiver from this requirement.

4. Site Design Standards

a) Snow and Ice Loading

The proposed project is anticipated to have adequate capacity for snow and ice loading. Snow storage areas are noted on the submitted subdivision plat.

b) Historic Resources

The applicant submitted a finding by the Maine Historic Preservation Commission that no historic properties will be impacted by the proposed project (as defined in Section 106 of the National Historic Preservation Act). Deb Andrews, Historic Preservation Program Manager, advised that the buildings to be demolished are not eligible for historic designation.

c) Exterior Lighting

The applicant provided a lighting plan, and states in a zoning analysis that all lighting will be shielded. *The plan anticipates spillage of .2 foot candles onto properties adjacent the parking lot to the east, and spillage of .2 foot candles onto Wessex Street. This does not meet the Technical Standard requirement of spillage limited to .1 foot candles, and should be revised. Additionally, insufficient photometrics are provided regarding proposed exterior lighting / building frontages.* A revised lighting plan is suggested as a **condition of approval**.

Please also note the public comment pertaining to concerns about exterior lighting, described above.

d) Noise and Vibration

The applicant states that mechanical equipment will meet appropriate noise limits.

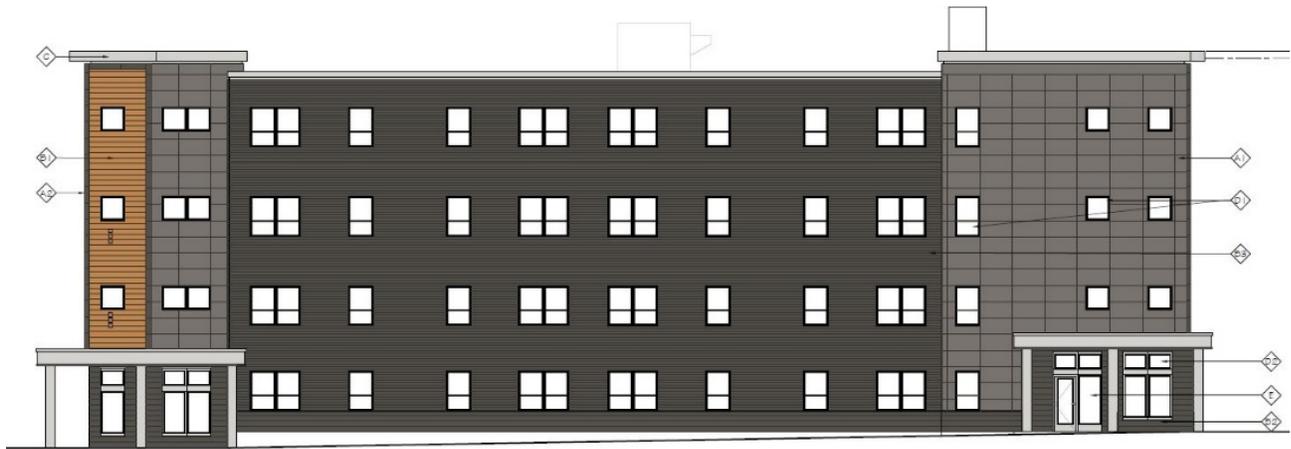
e) Materials & Waste

The applicant states that all waste will be handled in an interior trash room and picked up by a private waste hauler.

f) Zoning Related Design Standards

Caitlin Cameron, Urban Designer, provided review comments (attachment 7) responding to the applicant's updated designs:

- Revisions submitted 7/18/18 – comments revised to reflect final design
- Overall supportive of the scale, massing, and height of the project for this context and street
- *Concern about the durability of fiber cement material at the ground – consider a base with a more durable material*
- *Prefer seating added to the site; landscape between inactive portions of building and street.*
- *Landscape design could enhance the less active portions of the buildings such as the stair towers*



Western elevation of proposed 977 Brighton Project (image: provided by applicant)

XII. 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 July 24, 2018 for application 2017-299 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 (Attachment 1), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14) which requires that aisle width for right-angle parking be 24 feet per Figure I-27 . The Planning Board **[waives / does not waive]** the Technical Manual standard (Section 1.14) to allow a 21 foot-wide aisle for a portion of the aisle within the proposed surface parking lot;
2. The Planning Board **[finds / does not find]**, based upon the consulting transportation engineer’s review (Attachment 1), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.14) which allows parking lots with greater than 10 spaces to be comprised of 20% parking spaces. The Planning Board **[waives / does not waive]** the Technical Manual standard (Section 1.14) to allow 35% of the spaces to be compact.
3. The Planning Board **[finds / does not find]**, based upon the Planning Department’s review that a new sidewalk will be installed along their Wessex Street frontage and that Wessex is a dead end street, the following criteria (specifically 1 and 3) **[do / do not apply]** and therefore **[waives / does not waive]** the requirement for a sidewalk along the westerly side of Wessex Street.
4. The Planning Board **[finds/does not find]**, based upon the Planning Department’s review, that extraordinary conditions exist or undue hardship may result from strict compliance with the Site Plan standard (*Section 14-526(c)(3)(b)*), which requires that electrical service be placed underground unless otherwise specified for industrial uses, or if it is determined to be unfeasible due to extreme cost. The Planning Board **[waives / does not waive]** the Site Plan standard (*Section 14-526(c)(3)(b)*) to allow overhead utilities to serve the existing structures along Wessex Street.

B. SUBDIVISION

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 Jul7 24, 2018 for application 2017-299 (977 Brighton Avenue) relevant to the subdivision regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan **[is / is not]** in conformance with the subdivision standards of the land use code.

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 July 24, 2018 for application 2017-299 (977 Brighton Avenue) 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, subject to the following conditions of approval:

CONDITIONS WHICH MUST BE MET PRIOR TO SUBMITTAL OF A BUILDING PERMIT APPLICATION:

1. The applicant shall provide updated documents addressing the necessary revisions and submissions detailed in Attachment 1, T ERRICO COMMENTS 6-21-18, for review and approval by the Planning Authority and the City's consulting traffic engineer.
2. The applicant shall provide a revised construction management plan for review and approval by the Planning Authority and the City's consulting traffic engineer.
3. The applicant shall provide updated documents addressing the necessary revisions and submissions detailed in Attachment 3, L SWETT COMMENTS 7-19-18 & 6-20-18, for review and approval by the Planning Authority and the City's consulting civil engineer.
4. The applicant shall provide an ability to serve letter from the Portland Water District for review and approval by the Planning Authority.
5. The applicant shall provide an updated landscape plan addressing the necessary revisions and submissions detailed in Attachment 5, J TARLING COMMENTS 6-21-18, to be reviewed and accepted by the Planning Authority and City Arborist.
6. The applicant shall upgrade curb ramps to ADA compliance at / between Wessex Street and to / across Cabot Street at Brighton Road. Sufficient plans and documentation to this effect shall be submitted to the Planning Authority and Transportation Program Manager for review and approval.

CONDITIONS WHICH MUST BE MET PRIOR TO ISSUANCE OF A BUILDING PERMIT:

7. The applicant shall submit a revised lighting plan in conformance with the City's Technical Manual, for review and approval by the Planning Authority and Department of Public Works.
8. The applicant shall provide the street trees required in the City's Technical Manual, or shall pay \$400 into the City's Street Tree fund for each required tree that is not provided.

D. INCLUSIONARY ZONING CONDITIONAL USE

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 June 26, 2018 for application 2018-013 (977 Brighton Avenue) relevant to the Conditional Use as authorized by Division 30, Section 14-487 Ensuring Workforce Housing; and the testimony presented at the planning board hearing, the planning board finds that the Conditional Use **[is / is not]** in conformance with the standards of the land use code and **[approves / does not approve]** the application, subject to the following condition of approval:

1. The applicant shall maintain a minimum of four units of housing at or below 100% AMI. Should the Applicant fail to maintain these minimum housing guidelines then the Applicant and the City should enter into an agreed upon Affordable Housing Agreement (AHA). The Affordable Housing Agreement will outline the details of the affordability restrictions placed on four (4) Workforce Units and will be filed as covenant to the property's deed with the Cumberland County Registry of Deeds.

PLANNING BOARD REPORT ATTACHMENTS

1. T ERRICO COMMENTS 6-21-18
2. V VOLENT MEMO 6-20-18
3. L SWETT COMMENTS 7-19-18 & 6-20-18
4. B HYMAN COMMENTS 6-21-18
5. J TARLING COMMENTS 6-21-18
6. DC THOMPSON COMMENTS 4-4-18 & 6-6-18
7. C CAMERON COMMENTS 7-18-18 & 6-20-18

PUBLIC COMMENT

- PC1. JOE MARTELL 2-12-18
PC2. GENE LEIGHTON 3-18-18
PC3. BILL MONTGOMERY 4-6-18
PC4. JUDITH STANHOPE 4-18-18
PC5. BILL MONTGOMERY 4-25-18
PC6. ROBERT KUNI 5-15-18

APPLICANT'S SUBMITTALS

- A. COVER LETTER
- B. LEVEL III SITE PLAN APPLICATION
- C. COMPREHENSIVE PLAN GOALS
- D. FINANCIAL AND TECHNICAL CAPACITY
- E. EVIDENCE OF RIGHT TITLE & INTEREST
- F. DEP SUBMITTAL DOCUMENTS
- G. FIRE DEPT. SUMMARY & CODE REVIEW
- H. NRPA PERMIT
- I. LIGHTING
- J. MDI & W RESPONSE
- K. MHPC RESPONSE
- L. DAC & F RESPONSE
- M. STORMWATER REPORT
- N. NEIGHBORHOOD MEETING DOCUMENTATION
- O. CONSTRUCTION MANAGEMENT PLAN NARRATIVE
- P. TEST BORINGS DOCUMENTS
- Q. WASTEWATER CAPACITY LETTER & APPLICATION
- R. WETLAND REPORT
- S. WAIVER REQUESTS
- T. ZONING ANALYSIS
- U. COMMENTS RESPONSE LETTERS 7-18-18 & 6-4-18
- V. TRAFFIC IMPACT STUDY
- W. PARKING ASSESSMENT AND SUPPLEMENTAL INFO
- X. ACF DESIGN REVIEW LETTER
- Y. SHADOW STUDY
- Z. EXTERIOR MATERIALS

PLANS

- P1. FLOOR PLANS
- P2. BOUNDARY & TOPOGRAPHIC SURVEY
- P3. EXTERIOR ELEVATIONS
- P4. SUBDIVISION RECORDING PLAT
- P5. SITE PLAN
- P6. EXISTING CONDITIONS & DEMOLITION PLAN
- P7. GRADING AND UTILITIES PLAN
- P8. EROSION CONTROL PLAN
- P9. LANDSCAPE
- P10. LIGHTING
- P11. SITE DETAILS
- P12. STORMWATER TREATMENT DETAILS
- P13. DRAINAGE ANALYSIS
- P14. REDEVELOPMENT CALCULATIONS
- P14. CONSTRUCTION MANAGEMENT PLAN