

**Memorandum
 Planning and Urban Development Department
 Planning Division**



To: Sean Dundon, Chair and Members of the Portland Planning Board
 From: Matthew Grooms, Planner
 Date: September 20, 2018
 Re: Canal Landing Ph. IV Development, Canal Landing, LLC
 Project #: PL-000216-2018 CBL: 060-F-003
 Meeting Date: September 25, 2018

I. INTRODUCTION

Canal Landing, LLC has submitted a Level III site plan and conditional use application for a new 12,000 square foot maintenance building to be constructed at 400 West Commercial Street in the WPDZ Waterfront Port Development zone. The proposed use is a permitted use within the zone, however, given that the height of the proposed building will extend to 72' feet above average grade, the project triggers a conditional use review in accordance with Section 14-320(a). The proposed development is described as phase IV, as three prior approvals were granted by the Planning Board for developments at this site relating to boat maintenance, storage and repair, as well as office and retail. This development is subject to site plan, conditional use and shoreland review.



Figure 1: Development site and proposed building location

The Workshop was noticed to 52 neighbors and interested parties, and the public notice appeared in the Portland Press-Herald on September 14th and 17th, 2018. The Planning Division has not received any public comments as of the completion of this Report.

Applicant: Canal Landing, LLC, Phin Sprague
Consultants: Stephen Bushey, P.E., Stantec Consulting Services INC.

Required reviews and requested waivers

Applicant's Proposal	Applicable Standards
Construction of new 12,000 square foot marine maintenance building with height of 72'	14-523 Site plan Required Approval and Applicability Level III Site Plan and 14-526 Site Plan Standards
Waivers	Applicable Standards
Peer review has determined that the applicant must apply for a waiver of the Maine DEP Chapter 500 Flooding Standard, which is a requirement of Section 5 of the City's Technical Manual. The expectation is that this request will be submitted prior to the public hearing.	Technical Manual Section 5(IV), Submission Requirements, which requires that Level III site plans comply with the Maine DEP Chapter 500 Flooding Standard.

II. PROJECT DATA

SUBJECT	DATA
Existing Zoning	Waterfront Port Development Zone (WPDZ)
Existing Use	Undeveloped/Boat Storage
Proposed Use	Marine Repair/Maintenance
Parcel Size	17.77 acres
Existing building footprint	0 SF
Proposed building footprint	12,000 SF
Existing floor area	0 SF
Proposed floor area	12,000 SF
Impervious Surface Area	
--Existing	50,000 sq ft
--Proposed	65,000 SF
--Net Change	15,000 SF
Total Disturbed Area	12.7 acres
Parking Spaces	
-Existing	0
-Proposed	0
-Net change	0

III. BACKGROUND AND EXISTING CONDITIONS

The development site is located north of the Fore River, south of West Commercial Street, west of the International Marine Terminal and east of Cassidy Point. Directly across West Commercial Street is primarily vacant land, with the Star Match commercial building being located further east. Further to the north lies the West End Neighborhood, with Danforth Street and Salem Street overlooking this site.

This site has 2,160 linear feet of frontage along West Commercial Street. Historically, this area was utilized as a rail yard, though the majority of these rail lines have since been removed. MDOT installed the existing line, which bisects the site running east-west in 2014 to serve the recently developed International Marine Terminal. The development area is relatively flat with the highest points along the property’s West Commercial Street frontage at approximately 16’ feet to 18’ feet in elevation, sloping down to the Fore River. The site’s lowest area, located along the bank of the Fore River, is between 9’ and 10’ feet in elevation. The flood hazard elevation in this area is 10’ feet. The high annual tide line for the Fore River is 7.4’ feet and the mean low water line is approximately -4’ feet.

This property is located within the Waterfront Port Development Zone (WPDZ). This area of Portland’s waterfront is intended for marine industrial uses and is an integral component of the city’s working waterfront. At present, the site is undeveloped and sporadically used for boat and material storage. ‘New Yard’, which represents the portion of the western waterfront being utilized for boat storage and repair, has been under development since 2012, as identified in the timeline below.

TIMELINE

December 8, 2012 – Planning Board approves a boat yard and service yard on a 22-acre site just west of the Casco Bridge (currently occupied by the IMT). The approved site plan included a 42,000 SF boat repair building and regrading of approximately 7 acres of the site for boat storage and circulation. Additional site improvements included two boat ramps, a travel lift basin, floating docks, stormwater improvements, utility work, lighting and site landscaping.

August 27, 2013 – The applicant requested and received Planning Board approval for an amendment to the previous site plan allowing a phased development.

October 22, 2013 – The Planning Board approved a revised site plan, which shifted the two buildings shown in Phase I to the far westerly end of the site. This change avoided buildings being located on land that would later be acquired for IMT expansion. The first building was labeled as Phase 1b “proposed tension fabric building” with a footprint of 19,200 SF.

July 8, 2014 – The Planning Board approved an expansion of the IMT facility. The IMT site plan included approximately 17 acres previously controlled by New Yard. New Yard’s remaining land, totaling 5 acre, contained their newly constructed 19,200 SF tension fabric building.

August 12, 2014 – The Planning Board approved a 27,600 SF addition to the existing building, intended for boat maintenance and repair.

January 12, 2016 – The Planning Board approved a new proposal by New Yard for construction of two new buildings intended for use as marine retail space and administrative offices. Additional site improvements included site regrading, installation of a pervious gravel surface across approximately 12 acres of newly acquired property for boat display and storage, and construction of a 2,400 SF shell building at the southwestern corner of the site, to be used by Waynefleete Academy for storage of small personal watercraft. Conditions of approval included the installation of street trees, contributions of \$65,000 and \$25,000 for construction of a dedicated left turn lane and improvements to West Commercial Street as identified in the West Commercial Street Master Plan respectively.

September 6, 2017 – The City Council approved a text amendment to the WPDZ which permits taller structures across the zone while delineating more stringent dimensional standards for building length and lot coverage. The amendment also established basic design standards, a view corridor provision, and strengthened conditional use standards to promote marine activity.

January 23, 2018 – The Planning Board reapproved Canal Landing Phase III, which is described in greater detail under the timeline date, January 12, 2016. Approval of this site plan application lapsed, and the applicant was required to go back before the Board for approval.

February 27, 2018 – The Planning Authority approved a Level II site plan for construction of a concrete travel lift basin, to be located towards the easterly portion of the applicant’s site. The travel lift transports vessels from the water to land, and is used to maneuver vessels around the site.



Figure 2: Image showing phases of development. Red indicates Ph. I & II, Blue indicates Ph. III, Purple indicates travel lift location, and green indicates Ph. IV.

IV. PROPOSED DEVELOPMENT

The applicant’s proposal is to construct a new marine maintenance and repair building, totaling 12,000 square feet in gross floor area, that would be located towards the Fore River on the southerly side of the Maine DOT Rail corridor, approximately 187’ feet from the West Commercial Street right-of-way (at its closest point) and approximately 160’ feet from the highest annual tide line (HAT). The site is accessible via two separate railroad crossings, with the primary access point being located approximately 732’ feet to the west of the proposed building, and the secondary access point being located approximately 35’ feet to the northeast. No driveways are proposed, and vehicles accessing the site would be required to traverse the ‘pervious manmade surface’ material approved as part of Canal Landing Phase III and graded with the understanding the vehicles would be driving across this surface. This material according to the applicant is suitable for vehicle use.

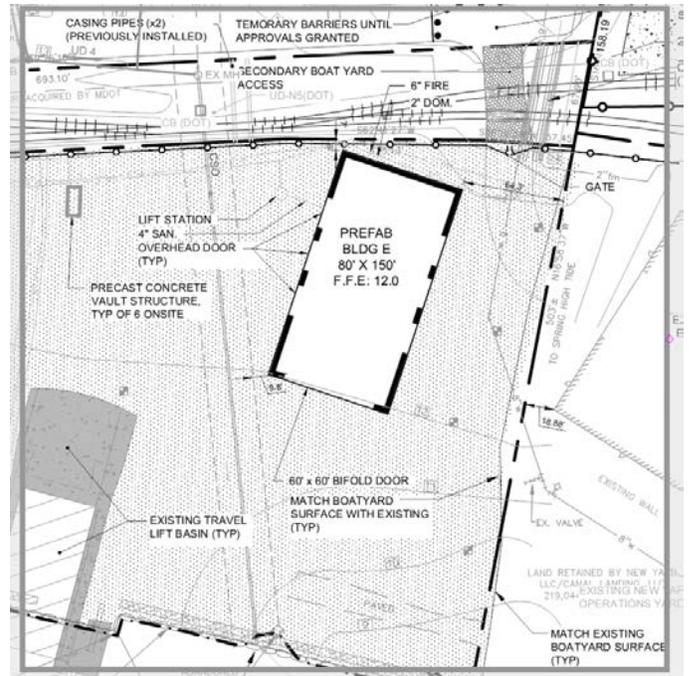


Figure 3: Proposed development plan for Ph. IV

Around the exterior of the building, no significant site improvements are proposed, which would include off-street parking, landscaping or lighting. The staff has asked that the applicant provide details regarding building lighting, and are also asking that some vegetation be provided, particularly to the north of the building between the building and Maine DOT right-of-way, as this space is not easily traversable. The building will feature some new utility connections in the form of sanitary sewer, water and electric.

V. NEIGHBORHOOD MEETING AND PUBLIC COMMENT

As of the writing of this memo, the Planning Division has not received written public comment regarding this proposal. The required neighborhood meeting has not yet been held and will be a requirement before the public hearing.

VI. STAFF REVIEW

A. ZONING

The zoning review contains the following sections; Waterfront Port Development Zone Review, Shoreland Zone Review and the Conditional Use Review.

i. Waterfront Port Development Zone Review

The project is located in the Waterfront Port Development Zone. The proposed uses, marine repair and maintenance are permitted uses within this zone. Under Section 14-319, Permitted Uses, it states that the proposed use, marine repair services, may exceed the maximum by-right height of 55 feet, though by doing so, it triggers a conditional use review. Height-based conditional uses within this area of the WPDZ, defined as, “east of a line projected due south from the centerline intersections of West Commercial Street and the easterly most Cassidy Point Drive and west of Casco Bay Bridge, on lots 5 contiguous acres or larger” are limited to a maximum height of 75 feet, as listed under Section 14-320.2. The highest point of the proposed building according to the applicant is 72 feet.

As a conditional use, this project is required to demonstrate compliance with both the zone-specific conditional use standards, Section 14-320(a), which are intended to ensure water access for water-dependent and marine-related uses, as well as the general conditional use standards as listed under Section 14-474(c)(2). The WPDZ also includes a provision for protecting access to the water for water dependent uses under Section 14-318.5, "No Adverse Impact on Marine Uses". The standards for that section are listed below.

Sec. 14-318.5

- (a) The proposed non-water dependent use will displace an existing water-dependent use;
- (b) The proposed use will reduce existing commercial vessel berthing space;
- (c) The proposed nonwater-dependent use, structure or activities, including but not limited to access, circulation, parking, dumpsters, exterior storage or loading facilities, and other structures, will unreasonably interfere with the activities and operation of existing water-dependent uses or significantly impede access to vessel berthing or other uses to the water by water-dependent uses; or
- (d) The siting of a proposed nonwater-dependent use will substantially reduce or inhibit existing public access to marine or tidal waters.

The proposed use, which is considered both a water-dependent and marine-related use, does not impede access to the water by other such users and is further not subject to these particular standards based upon its classification.

Dimensional Standards Review

Lots located between Cassidy Point and the Casco Bay Bridge are permitted a lot coverage of up to 50%, a building height of 75 feet or less with building run of 300 feet or less (as measured parallel with West Commercial Street) for conditional uses. The proposed development falls within these limitations, with a lot coverage of 11.2%, proposed building height of 72 feet and building length of 80 feet. The staff are requesting that an updated building elevation be provided that includes the grade at all four corners of the building, to establish an average grade. The height of the building can then be confirmed.

Performance Standards Review

In compliance with Section 14-320.3, Performance Standards, the applicant has submitted an impact mitigation narrative summarizing how the project intends to meet the applicable performance standards.

- (a) Outdoor Storage of Materials: Proposed storage of vessels will be entirely contained within designated areas requiring security access. The surface material, which is a porous manmade surface permitted by Maine DEP for stormwater quality control, serves to treat runoff contaminants.
Staff Finding: This applicant's proposal complies with this standard. The applicant has further indicated that they will be fully compliant with the Maine DEP Brightwork Manual, which sets state-wide standards related to storage of marine equipment.
- (b) Noise: It is not anticipated that noise levels will exceed 55 decibels between 7:00 p.m. and 7:00 a.m.
Staff Finding: This applicant's proposal complies with this standard and there shall be minimal work occurring during evening and nighttime hours.
- (c) Vibration: It is not anticipated that this phase of the development will result in significant vibration impacts.
Staff Finding: This applicant's proposal complies with this standard

- (d) Federal and State Environmental Regulations: Proposed boat repair and maintenance activities will be performed in accordance with State and Federal regulations, so actions such as sand blasting and related boat work are managed and controlled to minimize emissions.
Staff Finding: This applicant's proposal complies with this standard.
- (e) Discharges into Harbor Areas: Proposed discharge into the Fore River will occur either through the existing City drainage system (CSO), or through new drainage outfalls falling under Permit By Rule authorization from Maine DEP. The applicant is currently working with the Portland Water District to finalize the easement language for this CSO, which was made a condition of approval for the Level II project for the travel lift.
Staff Finding: This applicant's proposal complies with this standard, with the understanding that the CSO easement will be finalized.
- (f) Storage of Vehicles: This development does not involve the storage of vehicles, and boats are exempt from this requirement, as boat storage is a permitted use.
Staff Finding: This applicant's proposal complies with this standard.
- (g) Landfill of Docking and Berthing Areas: Proposed development does not involve landfill of docking or berthing areas.
Staff Finding: This applicant's proposal complies with this standard
- (h) Off-Street Parking: The proposed use requires a minimum of twelve (12) off-street parking spaces. While not striped the applicant has indicated that there is extensive space on-site for parking, and that the proposed development should be considered as an expansion of services and not capacity, and as a result, no additional employees are anticipated.
Staff Finding: The site itself possesses adequate parking for employees of the facility (which are not intended to increase as a result of this project), and is not accessible to members of the public, the staff find that there is sufficient off-street parking and that no new parking is required.
- (i) Off-Street Loading: The proposed building will feature multiple overhead doors and ample maneuvering space for loading and unloading activities via the travel-lift.
Staff Finding: This applicant's proposal complies with this standard
- (j) Shoreland and Flood Plain Management Regulations: Proposed activities are located outside of the shore land zone, and the city's zoning administrator has reviewed the project for compliance with the Shoreland Zone. Review comments can be found below under the Shoreland Zone review section.
Staff Finding: The staff have provided initial feedback and have requested additional information.
- (k) Lighting: Based upon the application material, it is not clear whether or not new lighting is being proposed. The applicant indicates that existing lighting, on-site and on adjacent sites, provides adequate levels of illumination.
Staff Finding: The staff are requesting additional information regarding site lighting, including location of lighting and relevant details that demonstrate compliance with Section 12 of the City's Technical Manual.
- (l) Signs: No signs are proposed as part of this application.
Staff Finding: The applicant's proposal complies with this standard.
- (m) Storage of Pollutants and Oily Wastes: According to the applicant, the proposal will be fully compliant with Maine DEP's Brightwork Manual, which establishes benchmarks and best practices for managing waste and pollution at boatyards and Marinas.

Staff Finding: The applicant’s proposal complies with this standard

- (n) Compatibility of non-marine uses with marine uses: The proposed use is considered a water-dependent use and does not trigger this standard.

Staff Finding: The applicant’s proposal complies with this standard

- (o) Design and Visual Character: The Board shall consider compliance of the proposed structure with the following criteria:
 - a. In building design, including placement and screening of mechanical equipment, take into consideration long views to minimize negative visual impact and provide visual interest, and architecturally integrate exposed industrial systems and equipment where practical.
 - b. Organize massing to emphasize certain parts of the building such as entries, corners, or different uses.
 - c. Treat all facades, including the roof, with equal level of detail, and articulation.
 - d. Vary and articulate building facades to add scale and avoid large monotonous walls. Treatments such as texture, color, material changes, or shadow lines or murals must be used to add visual interest and avoid dull, flat, repetitive facades.
 - e. Use a scaling or articulation element such as stepback, canopy, or fenestration, as required for any street-facing façade within fifty (50) feet of West Commercial Street.

Staff Finding: The staff received a basic set of building elevations which can be seen below and have not had the opportunity to review in detail. A more formal analysis will be available at the workshop on September 25th. According to the applicant, the building design is very similar to the existing red building constructed under Phase 2 of this development, an image of which can be seen below.



Figure 4: In terms of design, the proposed building will be very similar to the building above, albeit taller and less wide (as the broad gable roof was used to bring the overall height of the building into compliance under the previous ordinance)

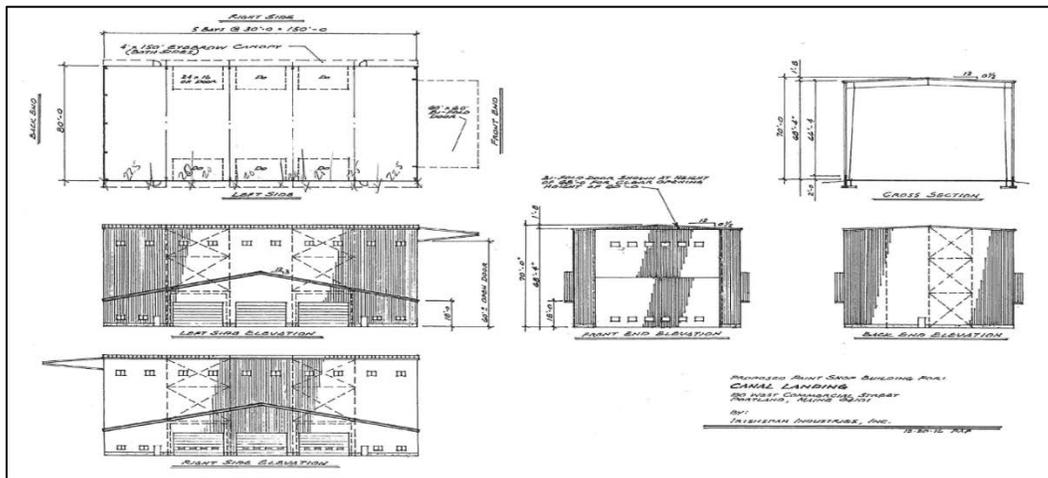


Figure 5: Proposed elevations for Paint Building

ii. Shoreland Zone Review

The Zoning Administrator, Ann Machado, has reviewed the application for Canal Landing Ph. IV and has provided the following comments (Attachment 3), largely requesting additional information on key topic areas and a narrative response outlining compliance:

Flood Plain:

The only real reference to the flood plain is in the Project Description as shown on Figure 7. This is from the Maine office of GIS. This is not the correct map to use for identifying the flood zone under our floodplain ordinance (Division 26.5). Portland is part of the National Flood Insurance Program and therefore the flood zone is based on the Flood Insurance Rate Maps (FIRMS) put out by FEMA. The area of development is located on Community Panel 230051 0016 B. Part of the property is located in the Flood Zone A2 (EL 10) and part is located in Zone C. The A2 Flood Zone line needs to be clearly located on the site plan. If any part of the proposed structure is located in the A2 Flood Zone, the applicant will need to submit the permits for Development in the Flood zone and either a flood elevation certificate or a Flood Proofing Certificate.

Shoreland Zone: Division 26

The extent of the Shoreland Zone needs to be clearly identified on the site plan.

The property is located in the Waterfront Port Development Zone (WPDZ).

Section 14-449(a)(1)(b) exempts any structure in the WPDZ zone from having to be set back 75' from the highest annual tide.

Section 14-449(c)(2) exempts the development in the WPDZ zone from the clearing or removal of vegetation standards in this section

Section 14-449(d) addresses erosion and sedimentation control. Make sure that the criteria has been addressed.

Section 14-449(m) addresses Stormwater Runoff. Make sure that the criteria has been addressed.

Section 14-449(o) addresses General Site Plan Features in the Shoreland Zone. Make sure that this criteria has been addressed.

Does the location of the building require any approval from DEP under NRPA?

Lauren Swett, P.E. with Woodard and Curran, has reviewed the proposal for compliance with city site plan standards related to Sec. 14-499(d) and Sec. 14-499(m), and has found the information provided to be insufficient, providing the following comments (Attachment 1):

- A stormwater management report has previously been submitted for the overall site. This should be provided and updated based on the current project.
- No site details are provided. At a minimum, plans should include details associated with utility work, surface restoration, and erosion and sedimentation control.

In regards to Sec. 14-499(o), the Planning Board shall approve a site plan located within the shoreland zone if it finds that the following standards, in addition to the standards set forth in 14-526, are met.

- (a) The proposal will maintain safe and healthy conditions;
- (b) The proposal will not result in water pollution, erosion, or sedimentation to surface waters
- (c) This proposal will adequately provide for disposal of all wastewater
- (d) The proposal will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
- (e) The proposal will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
- (f) The proposal will protect archaeological and historic resources
- (g) The proposal will not adversely affect existing commercial fishing or maritime activities;
- (h) The proposal will avoid problems associated with floodplain development and use;
- (i) The proposal is in conformance with the standards set forth this section.

City staff are requesting that the applicant provide a detailed narrative description of how the project is compliant with each of these points. A discussion of these requirements will be provided in the public hearing report.

iii. Height-Based Conditional Use Review in the WPDZ

“Marine Repair” uses are identified as a permitted use eligible for a height bonus under the conditional use standards, Section 14-320.2. An analysis of dimensional requirement compliance can be found above.

The conditional use standards for the WPDZ are listed below:

Section 14-320. Conditional Uses

- (a) Conditional uses shall be permitted in the Waterfront Port Development Zone, provided that, notwithstanding section 14-471 (c), section 14-474(a), or any other provision of this Code, the Planning Board shall be substituted for the Board of Appeals as the Reviewing Authority.

In addition to the provisions of section 14-474(c)(2) such uses will:

- Not impede or preclude existing or potential water-dependent development on other lots;
- Allow for adequate access to the water;
- Be compatible with water dependent and marine uses;
- Operationally support one or more water dependent use(s), or be located in a building or structure that is physically adaptable or relocatable to make way for future development of water-dependent uses; and
- Meet any additional performance and dimensional standards set forth below.

The development as proposed is only considered a conditional use due to the height of the proposed building and not because of the use itself, which in fact is a water-dependent use. These zone-specific conditions are largely relevant to marine-related or non-marine uses permitted within the WPDZ only on a conditional basis.

With this said, the development does fully meet aforementioned standards. The proposed building is designed to be a short-term 20-year building that serves the marine repair and maintenance component of this operation. All portions of this site, including the proposed buildings are easily adaptable and or relocatable given their relatively temporary nature, and do not occupy space directly adjacent to the water. The development proposal as presented does not preclude future water-dependent uses in this location and further supports existing and proposed water-dependent uses at this location.

The staff finds that this application meets the WPDZ conditional use standards.

Section 14-474. Conditional Use

The Board shall, after review of required materials, authorize issuance of a conditional use permit, upon a showing that the proposed use, at the size and intensity contemplated at the proposed location, will not have substantially greater negative impacts than would normally occur from surrounding uses or other allowable uses in the same zoning district. The Board shall find that this standard is satisfied if it finds that:

- (a) The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and

Staff Review: This project is not anticipated to result in additional activity or traffic generation, given that facility would serve existing vessels currently being serviced elsewhere at this site. As such, staff finds that the proposal is in conformance with this standard.

- (b) The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewerage disposal, emissions to the air, odor, lighting or litter; and

Staff Review: The proposed uses are not expected to produce any such impacts as stated above, thus, staff finds that the proposal conforms with this standard.

- (c) The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash, or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

Staff Review: The proposed development will not differ from any other uses in this zone in regards to site design, given that the use is only a conditional use due to the building’s proposed height, and not use. Staff are requesting that additional landscaping be provided.

B. SITE PLAN STANDARDS

(a) Transportation Standards

1. Impact on the Surrounding Street Network and Circulation

In reviewing the applicant’s proposal against site plan standards regarding impacts to the surrounding street network and site circulation, the city’s consulting traffic engineer, Tom Errico, found that the proposed development will not result in additional traffic impacts (Attachment 2).

2. Loading and Servicing

The site will be serviced via two separate driveways along West Commercial Street, which both provide access to one of two railroad crossings, located on either side of the proposed maintenance building. The driveway itself does not continue to the proposed building, though the applicant has indicated that the ‘manmade pervious surface’ is suitable for vehicle use.

As a marine maintenance and repair facility, much of the loading and servicing will actually arrive from the Fore River, and will be accessed using a marine travel lift, intended to transport marine vessels between the water and building. Tom Errico, in reviewing this proposal, has no concerns with the current configuration (Attachment 2).

3. Sidewalks

The project site has 2,160 linear feet of frontage along West Commercial Street, and given the fact that no sidewalk exists along the south side of West Commercial Street between the intersection of West Commercial and High Street (near Becky’s Diner) and Cassidy Point, the applicant is requesting a waiver from the sidewalk requirement along their entire frontage. As this waiver was granted for phase 3 of this development, the staff does not believe a new waiver is required.

4. Public Transit Access

Not Applicable

5. Parking

The applicant has indicated that the proposed building is an expansion of services, not so much an expansion of capacity, and because of this, no additional employees are anticipated. Furthermore, given that the ‘manmade pervious surface’ is considered suitable for employee vehicles, the staff finds that there is sufficient on-site parking capacity.

6. Bicycle Parking

Given that no additional staff are anticipated, and as a result, no new additional parking, the proposal does not include new bicycle parking.

7. Snow Storage

The applicant has identified locations on their site plan for snow storage.

8. Transportation Demand Management (TDM)

Not Applicable

(b) Environmental Quality Standards**1. Preservation of Significant Natural Features**

The site is located on fill land which was developed for and used as a rail yard. Its natural features were disturbed many years ago and today the existing site has sparse vegetation.

2. Landscape and Landscape Preservation

The development site is undeveloped with no vegetation, and as such, no landscape preservation is required.

3. Site Landscaping

No site landscaping is proposed. Given that there is limited space for maneuvering between the proposed building and rail corridor, the staff are asking that landscaping be provided in this location.

4. Water Quality, Stormwater Management and Erosion Control

A description of the proposed stormwater scheme is provided below:

- The site's runoff conditions are primarily self-contained and runoff infiltrates or sheets to the Fore River; therefore, issues related to offsite or downstream flooding are not applicable. The Boatyard surface, consisting of a thick section of granular and crushed stone soils, provides for nearly 100% absorption, other than for very heavy rainfall events, thus water quality treatment is also achieved.

All stormwater runoff is proposed to discharge to the Fore River. The project will not adversely impact adjacent lots or the City street system.

Reviewing Engineer, Lauren Swett, P.E., Woodard and Curran, has reviewed the final plan and her comments are listed below (Attachment 1).

- The Applicant has noted that they are requesting a waiver of the flooding standard. This should be documented on the waiver request sheet.
- A stormwater management report has previously been submitted for the overall site. This should be provided and updated based on the current project.
- No site details are provided. At a minimum, plans should include details associated with utility work, surface restoration, and erosion and sedimentation control.

(c) Public Infrastructure and Community Safety Standards**1. Consistency with City Master Plans**

The proposed development is highly supportive of the City's recently approved Comprehensive Plan, which provides a number goals and strategies to create a vibrant and diversified working waterfront. Two goals in particular identified in the Comprehensive Plan stand out as being highly compatible with this proposed development.

- Prioritize and promote Portland's unique mix of water-dependent, marine-related and compatible non-marine uses.
- Ensure the future of the marine economy through support for emerging marine industries and mitigation of market trends that could compromise the balance between marine industries and competing development.

The proposed marine maintenance and repair facility will further diversify the operations occurring at Canal Landing, which is poised to become the first true shipyard in the City of Portland. This facility will expand available services, enabling this operation to work on larger marine vessels such as those of the Casco Bay Line fleet.

2. Public Safety and Fire Prevention

The proposed development has been reviewed by Fire Chief, Robert Thompson, who offers the following comments in regards to Public and Fire Safety (Attachment 1).

- The street side of the building(s) must be the address for the property. This should be consistent with 911, tax assessor, Inspections Division and future mailing address.

3. Availability and Adequacy of Public Utilities

Submission of Utility Capacity letters will be required as part of the final plan submission, or otherwise, shall be made a condition of approval.

(d) Site Design Standards

1. Massing Ventilation and Wind Impact

It is not anticipated that the proposed development will result in adverse impacts related to ventilation or wind as a result of proposed massing.

2. Shadows

Not Applicable

3. Snow and Ice Loading

Not Applicable

4. View Corridors

Recent text amendments to the WPDZ require view corridors measuring a minimum of 90 feet in width to remain unbuilt to preserve a clear line of sight between West Commercial Street and the water. No formalized view corridor has been provided, although the intent of the view corridor provision is met given the substantial area left undeveloped.

5. Historic Resources

The site contains historic and archaeological resources. The 19th century seawall is currently being restored in conjunction with the proposed marine improvements as approved during phase 3 of this project.

6. Site Lighting

The applicant has not submitted a lighting and photometric plan, though they have indicated that existing ambient light is more than sufficient. The staff are asking that additional information regarding site lighting be provided to confirm that no site lighting is proposed.

7. Noise and Vibration

The proposed develop is not anticipated to result in adverse conditions related to noise and or vibration.

8. Signage and Wayfinding

Not Applicable.

9. Zoning Related Design Standards

Please see discussion above

VII. FINANCIAL AND TECHNICAL CAPACITY

The applicant has provided a description of their technical capacity to complete the proposed project. Similarly, a letter from Norway Savings Bank was supplied demonstrating the applicant's financial capacity to complete the project, which is estimated to cost approximately \$100,000 for site work, and \$1.5 million to \$2 million for construction of the building.

VIII. RIGHT, TITLE & INTEREST

The applicant supplied a Release Deed and Settlement Agreement demonstrating ownership of the property and property encumbrances.

IX. NEXT STEPS

- Hold required neighborhood meeting
- Provide a written impact mitigation narrative addressing WPDZ Performance Standards
- Provide additional information regarding site lighting, including relevant details and photometric plans
- Provide landscaping as requested by the City Arborist.
- Respond to comments from Woodard and Curran, updating stormwater plans and providing erosion control information
- Submit waiver of Maine DEP Ch. 500 Flooding Standard
- Include photorealistic renderings of proposed building with surrounding context
- Update applicable plan sheets as required to meet shoreland zone standards and provide written narrative to explain compliance with standards

X. ATTACHMENTS:

Attachments to Memorandum

1. Preliminary Planning and Peer Review Comments
2. Traffic Engineering Review comments
3. Shoreland Zone Review Comments
4. Design Review Comments (To be included prior to workshop)

Applicant's Submittal

- A. Project Description
- B. Site Plan Checklist
- C. Financial Capability
- D. Right, Title & Interest
- E. Technical Capacity
- F. Waiver Requests
- G. Zoning Assessment
- H. Environmental and Stormwater Document
- I. Environmental Landscape Features
- J. Public Infrastructure & Safety
- K. Site Design Memo
- L. Transportation

M. Construction Management Plan

Plans

- P1. Cover Sheet
- P2. Existing Conditions
- P3. Site Layout Plan
- P4. General Construction Notes
- P5. Building Elevations