



MINUTES
COMMUNITY DEVELOPMENT COMMITTEE

FEBRUARY 10, 2010

A meeting of the Portland City Council's Community Development Committee (CDC) was held on Wednesday, February 10, 2010, at 5:00 p.m. in Room 209 on the second floor of Portland City Hall. Present from the CDC was its Chair Councilor Cheryl Leeman and member Councilor Dory Richards-Waxman. Committee member Councilor John Anton could not be present. Present from the City staff were Development Review Manager Barbara Barhydt, Senior Planner Molly Casto, Assistant City Manager Pat Finnigan, Planning Division Director Alex Jaegerman, Planning and Urban Development Director Penny Littell, Development Director Greg Mitchell, and Senior Executive Assistant Lori Paulette.

Item #1: Review and accept Minutes of previous meeting held on February 3, 2010.

On motion made and seconded, the Committee voted unanimously to accept the Minutes as published.

Item #2. WCZ Text Change/Comprehensive Plan Amendment (30 Minutes) – See enclosed Memorandum from Bill Needelman.

Chair Leeman noted that Councilor Anton sent his thoughts and questions on this item in an email, copies of which have been made available to the public at this meeting, which email is now part of the record and attached to these Minutes.

Ms. Littell said that the Planning Board has had two workshops on the amendments being proposed. Based on the workshops, the Planning Board has concluded that the

amendments need to be reviewed together with the policies of the Comprehensive Plan, and, therefore, could be suggesting changes to both the policies of the Plan and revised zoning text. The area that is part of the subject amendments runs from west of the Maine State Pier (does not include the Maine State Pier property) to the International Marine Terminal.

Ms. Littell continued saying that two public forums are being planned for March 2 and March 3 in the early evening. The first forum will be in the form of a panel discussion, and the second will be in the form of public input through small group discussions.

The property owners want to see a working waterfront and infrastructure maintained, and Ms. Littell then referred the Committee to Attachment B in the packet “Pier Owners’ Requested Amendments”, also attached to these Minutes. For items #1 and #2, the current zoning requirement is 100% commercial marine use on the ground floor and the Pier Owners are requesting 50% non-marine use.

Chair Leeman asked if there was a definition of “working waterfront” in the ordinance.

Mr. Jaegerman said that there is not, instead there are various levels with the first being “marine dependent uses” – those that require access to the water for operations; “marine related uses” – an example would be fish processing; and, “marine compatible”, for which an example would be an office for a marine use.

Regarding #3 and #4 on the listing, “Within 150 (feet) from Commercial Street, allow 100% non-marine development”, Ms. Littell said that the current requirement is 100 feet and is applied to existing buildings; #3 and #4 on the list request increasing the non-marine use area from 100 to 150 feet and would allow its application to new buildings.

Ms. Littell said that #5 refers to more use options on existing buildings and new construction – same with #6 , and the last is requesting an easing of parking restrictions and view protections – those streets perpendicular to Commercial Street.

Regarding parking, there was discussion concerning the property owners not wanting to have to provide parking for non-marine uses; parking for such uses can be found elsewhere amongst property owners and business associates.

Chair Leeman said that it would be good for both Council and for the public forums to have the current regulations and the requested changes side-by-side to see the difference.

Mr. Ingalls requested that perhaps the side-by-side could be highlights rather than the actual verbiage which can be confusing, and the Committee concurred.

Chair Leeman asked about public notice for the forums.

Ms. Littell said notice is going out to Planning’s “interested party” list which is voluminous, as well as reaching out to the Chamber’s and PDD’s constituency. She is also looking to have the *Press Herald* run an article about the forums, and perhaps listing it in its events area of the paper.

Mr. Ingalls also added that the pier owners have been talking with the Munjoy Hill Neighborhood Association, the Rotary, and any other organization it can. They will also get the word out about the forums.

Ms. Littell said that the work plan of her Department has a goal of bringing this to the Council in June.

Chair Leeman thanked everyone for the status report.

Item #3: Presentation on Status of Site Plan Standards (60 Minutes) Penny

Littell

Ms. Littell said the Planning Division has been working on updating the site plan standards for over a year. The original standards have been in place for many years and are outdated. It is large task with varying sections. Staff has been bringing these proposed updates to workshops with the Planning Board in various segments, i.e., site design standards, environmental quality standards, transportations standards – all as more detailed in the schedule contained in the CDC packet.

Ms. Littell said that standards today for the CDC's review are transportation standards and public infrastructure and community safety standards. The transportation standards need to take into consideration on-site and off-site standards. Staff needs to do more work on off-site standards, which involves interaction with MDOT, so this will not be taken up today. The Committee will review on site standards.

Chair Leeman asked if the Transportation Committee has reviewed this, and Ms. Littell said that it has not at this point.

Ms. Littell also added that the technical components have been taken out of the ordinance and are being placed into the City's Technical Manual. She then asked Molly Casto to go over the highlights for the Committee.

Ms. Casto referred the Committee to the Draft Transportation Standards which organizes standards according to 4 subheadings: Impact on Surrounding Street Systems (staff proposes retention of this standard while it examines the feasibility of an impact-fee based standard to replace the current level of service-based standard); Access and Circulation; Parking; and Transportation Demand Management (TDM).

Ms. Casto highlighted for Access and Circulation that the sidewalk standard is not all that different, but it does make it clearer for sidewalk waivers and where the adopted waiver criteria for sidewalks and curbing are found in the ordinance. There is also a

proposed standard requiring continuous walkways/pathways between public sidewalks and major building entrances in development.

Chair Leeman cautioned that any sidewalk/walkway/pathway/trail needs to link to something that makes sense to the development, internally and externally.

Regarding public transit access, Ms. Casto noted the proposed standard is “for any residential development consisting of twenty (20) or more dwelling units or commercial or institutional development of at least 20,000 square feet gross floor area, a transit facility shall be construction where the following criteria are met:”

Chair Leeman asked staff to take another look at where the bus shelters should and should not be placed. She has heard outcry from this, that they invite graffiti and other various problems, and this is not necessarily something the public would want to see in residential areas, dotting the streets. In business and industrial zones, they may be better sited. Chair Leeman then asked who would maintain the shelters.

Ms. Casto said that if the shelter is on the development site, the developer is responsible; if on City property, the City would be responsible.

Regarding Parking, Ms. Casto said that the changes are more for clarification purposes.

For Bicycle Parking Spaces, Ms. Casto said original standards were lengthy, thus staff lifted much of the adopted ordinance language and relocated it to the Technical Manual in an attempt to “declutter” the site plan standards.

Chair Leeman asked about the rational for two bike parking spaces for every five dwelling units, and the requirements for non-residential structures.

Mr. Jaegerman said that the Health and Recreation Committee drafted standards and sent them to Planning, and Corporation Counsel also assisted in researching the ratios.

Chair Leeman cautioned staff to take a look at this as there are not many bikes out there and this would be an added cost for the developer.

Regarding TDM, Ms. Casto said that this is carried from the original standards.

Ms. Casto then referred to the draft Public Infrastructure and Community Safety Standards, with the first subject being standards pertaining to “Consistency with Related Master Plans”. Ms. Casto said that the plan is to provide applicable plans in hyperlinks to various plans for ease of the client. The language in this standard will be revised to be limited to masters and facilities plans adopted by the Council. The adopted standard includes masters and facilities plans that are “adopted, supported or endorsed by the City”.

Regarding “off-premises public infrastructure as may be required by the Planning Board of Authority” under this subject, Chair Leeman said that the biggest concern she hears about is this being site specific and justifiable.

Ms. Casto then discussed standards pertaining to Public Safety and Fire Prevention. These standards currently focus primarily on fire prevention but but now public safety elements have been added. The Chamber has been involved with this element and provided suggestions. Designs of developments would be evaluated according to the principles of Crime Prevention through Environmental Design (CPTED) in order to promote public safety.

Under “Availability and Adequate Capacity of Public Utilities”, Ms. Casto said that this has been carried forward, with the exception that electrical service shall be underground, unless the development is industrial or it is determined not to be feasible.

There was discussion of blasting and public safety, and Ms. Casto said that this was taken up in Chapter 10 of the ordinance- Regulation of Explosives.

TDM was carried over from the original standards.

Ms. Littell closed saying that staff will continue working with the Planning Board and various interested groups, together with the public forums planned for the March 2 and 3.

Chair Leeman thanked Ms. Littell, noting that the CDC has scheduled another meeting on February 17 at 5:00 to look at other standards as they may be available. Ms. Littell noted that environmental standards would be brought at that time.

Councilor Waxman said that continuation of these updates on the website would be good for the public.

There being no further business to come before the Committee, the meeting then adjourned at approximately 6:10 p.m.

Respectfully submitted,

Lori Paulette