

MAINE STATE PIER: SELECTION CRITERIA SUMMARY TABLE - Framework and Function: June 21, 2007 DRAFT

| Minimum Requirements | PROPOSAL RESPONSE | ISSUES/QUESTIONS/NOTES |
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| <p>Min Req 1. Ability to preserve and maximize deep water berthing access, including utility access, coordinated with occasional City needs for use.</p> | <p>Ocean Prop: New fender piles constructed. Berthing preserved, utilities preserved. Page 112. 1000 foot berth fitted with fendering dolphins. Expanded berthing for ferry, tugs and excursion fleet with new pier</p> | <p>Does new fendering restrict berth width? Clarified on Page 7 of May 25 reply. Tender vessel provided and additional berthing supplied</p> |
| | <p>Olympia: Berthing preserved, utilities preserved. Page 22. Replace 25% of old pilings, wrap 1600 remaining piles, replace bracing, replace fendering.</p> | <p>Will tender float be preserved? Floats to be retained (page 2)</p> |
| <p>Min Req 2. The site plan for the Ocean Gateway project includes a queuing plan for vehicles utilizing the international ferry. Proposals need to discuss ideas and accommodations for queuing impact.</p> | <p>Ocean Prop: Not detailed. Pg 116. Page 30 of the April 25 packet shows a revised queuing sketch for arriving vehicles. The City land north of the Commercial Street extension is noted as the location of the departing queuing area, but no details are provided. Departing queuing is currently proposed for water-side City land east of Ocean Gateway</p> | <p>Vehicle queuing proposals for international ferry operations located north of Commercial Street extension proved problematic and unpopular with the public during the Ocean Gateway design process and these concepts were abandoned. This area (north of Commercial Street) is also planned for Ocean Gateway parking (short-term) and future high value development (long-term.) Displacement of Ocean Gateway parking is not addressed. A complete queuing area design - arrivals and departures - will be needed. See comments below for queuing east of Ocean Gateway.</p> |
| | <p>Olympia: Schematic layout provided. Page 20. The original proposal document showed a revised queuing area for Ocean Gateway with arriving vehicles located east of the office building and departing vehicles located east of Ocean Gateway along the water.</p> | <p>The area east of Ocean Gateway is shown in the Eastern Waterfront Master Plan as open space and support for low impact marine uses (short-term use as parking to be relocated to a future parking structure as required under the Ocean Gateway Site Plan.)</p> |
| <p>Min Req 3. Ability to satisfy regulatory requirements for security, environmental protection, traffic management, and site development. This includes all Federal, State and Local regulations. Addressed by category below.</p> | <p>Ocean Prop: Diagramed page 114 of the original proposal. Proposal has been significantly redesigned to simplify environmental permitting.</p> | <p>Need assessment of for traffic feasibility and security issues. Need first floor area by use. (See Below)</p> |
| | <p>Olympia: Described in narrative page 32-33.</p> | <p>Need assessment of traffic feasibility (based on an identified parking location,) filled land, and security issues. Does the first floor area of marine use within 100 feet of pier edge meet %50 requirement? Need first floor area by use. (See Below)</p> |
| <p>Min Req 3: Regulatory Requirements - Security</p> | <p>Ocean Prop:</p> | <p>The April 25 submittal provides additional detail on security plan components and procedures (understanding that security specifics are not to be disclosed to the public). Please see pages 28-31.</p> |
| | <p>Olympia: Page 31</p> | <p>The April 25 submittal refers to the original submittal and reiterates the assertion that "deployable fencing" under Homeland Security CFR 105 requirements. Please see pages 10-13.</p> |

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| | <p>Olympia: Page 32-33. Traffic, circulation and parking are described on page pages 7-10 of the April 25 update.</p> | <p>Parking demand estimates for the proposal are for 335 spaces. These spaces are proposed to be provided off site with 12 spaces onsite adjacent to the hotel. The narrative on page 10 states that 45 additional onsite spaces could be developed adjacent to the hotel. These spaces are not shown. (60 spaces shown on sketch provided May 24 for the May 30 CDC Packet) With the exception of the "Ocean Gateway Garage" (referred to as the Long Fellow Garage in the April 25 update) offsite parking locations have not been identified. If the proposed spaces have already been dedicated to an existing project under control of the Olympia Companies, they should indicate how these other projects will be made whole on their site plan approvals regarding parking.</p> |
| <p>Min Req 3: Regulatory Requirements - Zoning <u>Any rezoning for the Maine State Pier requires review by the Maine DEP under Mandatory Shoreland Zoning provisions.</u></p> | <p>Ocean Prop: graphic, page 114. The April 25 update provides a zoning and permitting narrative on page 34. The revised building layout with the garage and Hotel having switched positions makes the previous graphic outdated - specifically regarding the adherence to the "50% Rule" in the Conditional Rezoning section of the EWPZ. The June 6 submittal (sheet A-300) shows 59% of the first floor within 100 feet of pier edge as marine use. This assumes the "fish/farm" co-op and "seafood restaurant" as marine use. The non-marine aspects of the co-op and the restaurant should be subtracted from this calculation.</p> | <p>Conditional rezoning is needed for the 1st floor non-marine uses, building height, and reuse of existing structure within 36 feet of pier edge. Maine DEP has indicated that the 36' setback from pier edge should not be modified. (The June 6 material eliminates the 36'-setback conflict.) Additionally, DEP review of the EWPZ indicates that non-marine parking on the pile-supported portion of the pier would not be permitted. The proposed 99 car parking structure is located on the pile supported portion of the pier. Use of these spaces by non-marine uses - including the seafood restaurant and possibly the fish/farm co-op - may not be permissible under State Shoreland restrictions</p> |
| | <p>Olympia: Zoning issues described on page 14 of the April 25 update. Graphic showing distribution and marine % of 1st floor uses provided at end of update. (Updated again on May 24)</p> | <p>Conditional rezoning is needed for the 1st floor non-marine uses, building height, and reuse of existing structure within 36 feet of pier edge. Maine DEP has indicated that the 36' setback from pier edge should not be modified by conditional rezoning. A graphic is provided with the April 25 submittal showing the % of marine use for the first floor. The project appears to meet the requirement for 50% 1st floor marine use within 100' of pier or shore edge. (36' rule conflicts have been eliminated in the May 24 sketch plan)</p> |
| <p>Min Req 5. Any proposed development of the MSP must include accommodations for the Bay Ferries operation, which requires 2,500 square feet of office space and up to 6,000 square feet of warehouse space.</p> | <p>Ocean Prop: Listed as included, page 82, shown in plan, page 113. Shown in the June 6 update in building "4" on sheet A-160.</p> | <p>Need clarity on size. Shown on drawings on Pages 10-11 of April 25 update and on sheet A-300 of the June 6 update.</p> |
| | <p>Olympia: Office use available in proposed building, page 21. No reference found location/size of warehouse space . April 25 updated graphic shows layout and size of Bay Ferries space - 8500 sf total</p> | <p>Need clarity on location/size. Shown.</p> |

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| Min Req 6. Accommodation for Tug Boat fleet. 500 square feet of office space, and 3,000 square feet of warehouse/storage/shop space. | Ocean Prop: New pier proposed, to be shared with excursion fleet. Office/warehouse shown in plan. Page 117. Shown in the June 6 update in building "4" on sheet A-160 with square footages described on sheet A-300. | Need clarity on the environmental feasibility of new pier (CSO location). Does new pier constrain primary 1000 foot berth? (Narrative provided in April 25 update, Page 36) |
| | Olympia: Provided status quo berthing. Office use available in proposed building, page 21. No reference found location/size of warehouse space . | Need clarity on location/size. Provided in update graphic at end of May 24 packet -3500 sf combined space |
| Min Req 7. Integration of Casco Bay Island Transit District operations, circulation and expansion potential. | Ocean Prop: Status quo circulation, 4600 sq ft warehouse east side of pier. Page 118. June 6 update shows expanded CBITD vehicle queuing. | Need comment from CBITD. |
| | Olympia: Expanded vehicle queuing and improved pedestrian circulation. 5000 sq ft warehouse east side of pier. Page 19 and page 31. Expanded CBITD queuing could be replaced with option of expanded parking shown with May 25 update. | Need comment from CBITD. |
| Min Req 8. Preservation and enhancement of public access to the water. Design of the open space will be covered in the Eastern Waterfront Design Guidelines review table. | Ocean Prop: Increased access to pier and uplands around hotel. Rooftop open space developed. Page 119. Open space revisions shown in April 25 update Page 32. Further revisions shown with June 6 update. | Need details on lease arrangement for rooftop open space. East side of pier access subject to security requirements. Details provided in Section G, pages 32-33 of the April 25 update. |
| | Olympia: Signature 2 acre park proposed. Increased access to pier and uplands around office building. Pages 8-11. | East side pier access subject to security requirements. Options for open space ownership and maintenance described on Pages 13-14 |
| Min Req 9. Preservation or relocation of utilities at the Maine State Pier that service the Ocean Gateway facilities. | Ocean Prop: Shown for Maine State pier. Page 120. No detail for Ocean Gateway. Utility separation narrative shown on Page 22 of April 25 update. | |
| | Olympia: Detailed narrative provided on Pages 22-23. Separation of utilities shown on Page 7 of April 25 update. | |

| CRITERIA #1, Policy Statement 1. Preserve Deep Water Access and Marine Utility: | PROPOSAL RESPONSE | ISSUES/QUESTIONS/NOTES |
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| <p>The Maine State Pier is an anchor of the Portland Waterfront. Functionally, the 1000 foot berth on the easterly pier edge provides an irreplaceable landing for ocean going vessels to access the City of Portland, the State of Maine, and the New England region. In addition to the easterly 1000 foot berth, the pier provides other deep-water berthing facilities that must be reserved for the support of deep-draft vessels. The preservation of the deep water berthing utility and full use of these unique resources are the highest priorities for future re-use or re-development of the Maine State Pier.</p> | Ocean Prop: See Above | See Jeff Monroe review material provided at previous meeting. Review of update pending. Presented at the June 13 CDC meeting. |
| | Olympia: See Above | See Jeff Monroe review material provided at previous meeting. Review of update pending. Presented at the June 13 CDC meeting. |
| 2. Create Economic and Structural Stability for the Pier through Appropriate Mixed Use Development | Ocean Prop: See outline of proposed uses starting on Page 92 . Please see April 25 update Pages 18-22 for additional structural information. | Proposal lacks detail. Considerable detail provided with update. Please see financial information provided by Joe Cuetara and engineering review by Appledore Engineering. |
| | Olympia: See narrative statement on Page 24, engineering information under the "Additional Data and Exhibits". Please see April 25 update Pages 5-7 for additional structural information. | Please see financial review provided by Joe Cuetara and engineering review by Appledore Engineering. |
| 3. Respect and enhance other pier uses | See Min. Req. above | |

| <p>Criteria #1 Cont. 4. Specific Considerations for a Development Plan for the Maine State Pier "When evaluating and selecting a development partner, the City will look for a proposal that provides as many of the following opportunities as possible:"</p> | <p>PROPOSAL RESPONSE</p> | <p>ISSUES/QUESTIONS/NOTES</p> |
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| <p>Provides enhanced opportunities for public access to the water through: *Expanded and/or improved facilities for public landings. *Expanded and/or improved open space.</p> | <p>Ocean Prop: No new public landings. Landscape improvements provided to Compass Park. Rooftop gardens provided. Landscaped areas proposed south of hotel. Shown on Pages 119, 124, and 127. The June 6 update shows a 2 acre park located in a similar location to the Olympia proposal and expanded openspace at the southerly end of the pier.</p> | <p>East side pier access subject to security requirements.</p> |
| | <p>Olympia: No new public landings. New 2 acre park includes direct access to water. Improvements and programming proposed for Compass Park. Shown on Pages 8-11 and 15.</p> | <p>East side pier access subject to security requirements.</p> |
| <p>Provides supporting facilities for both public and private water-dependent uses. *Expanded and/or improved facilities for emergency vessel berthing. *Preserved or expanded deep water berthing for oceangoing vessels. *Contribution toward or direct construction of expanded deep-water berthing facilities both on or off-site, including but not limited to Ocean Gateway, "Pier #2, Berth 2." (Also known as the "megaberth.")</p> | <p>Ocean Prop: New tug/excursion pier proposed, existing berthing preserved. Fire support quarters offered as leased space. Pages 91 and 113. Updated material shows the proposed intracoastal ferry utilizing the "tug pier"</p> | |
| | <p>Olympia: No new berthing, existing berthing preserved. Requests "rights of first refusal" to develop "Pier #2, Berth 2" at any time in future. Page 39.</p> | |
| <p>Creates linkages with sectors of the marine economy and facilities located both on and off Maine State Pier. Note: Restated in Criteria #4 below</p> | <p>Ocean Prop: Tug and excursion vessel pier and public market proposed, open spaces enhanced. See above.</p> | |
| | <p>Olympia: Small-scale retail space offered (including space shown as "fish market" in material provided for the June 13 CDC meeting), public open space significantly expanded. See above</p> | |

| CRITERIA #1, Cont. 4. Spatial Relationships between marine and non-marine | PROPOSAL RESPONSE | ISSUES/QUESTIONS/NOTES |
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| <p>4. The use of Maine State Pier in support of commercial marine enterprise requires ground floor space for vehicular and pedestrian circulation areas, pier space dedicated to the handling and supplying of vessels, and security areas. Compatible non-marine uses must be scaled and located around the functional marine necessities of transferring of passengers, goods and materials between the pier and berthed ships.</p> | Ocean Prop: See Jeff Monroe material | Presented at the June 13 CDC meeting. |
| | Olympia: See Jeff Monroe material | Presented at the June 13 CDC meeting. |
| <p>• The pier edge and deck adjacent to the pier edges must remain available for anticipated and future marine uses.</p> | Ocean Prop: See Jeff Monroe material | Presented at the June 13 CDC meeting. |
| | Olympia: See Jeff Monroe material | Presented at the June 13 CDC meeting. |
| <p>Criteria #1, 4. Non-marine uses should be concentrated on upper floors wherever possible.</p> <p>Circulation areas, for both vehicles and pedestrians, in support of non-marine uses should focus activity to the interior of the pier, away from the seaward edges.</p> | Ocean Prop: Appears to concentrate marine uses on first floors. Circulation concentrates to the center of pier. See Pages 113-114. | Are the market and restaurant counted as marine uses? Seafood retailing and wholesaling are listed as a conditionally permitted marine use in the EWPZ, non-marine retail is not. Need area estimates for calculation. (May 23 update provided - needs review) See comments above in the "zoning" discussion. |
| | Olympia: Marine uses are found on first floors, Circulation concentrates to the interior. See written statement on Pages 24-25. | Need clarity on total areas by use and % of total first floor w/in 100' of pier edge. A graphic is provided with the April 25 submittal showing the % of marine use for the first floor. The project appears to meet the requirement for 50% 1st floor marine use within 100' of pier or shore edge. (May 23 update provided - needs review) See comments above in the "zoning" discussion. |