



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

To: Sean Dundon, Chair and Members of the Portland Planning Board
 From: Shukria Wiar, Planner
 Date: March 23, 2018
 Re: Five-Unit Condominium, 24 St. Lawrence Street, Kelly and Walter Williams
 Project #: 2017-242 CBL: 016 J006001
 Meeting Date: March 27, 2018

I. INTRODUCTION

Will Savage of Acorn Engineering on behalf of Kelly and Walter Williams has submitted a Level III Site Plan and Subdivision application for the construction of a five-unit condominium building on a 4,671 square foot site at 24 St. Lawrence Street in the East End. It is surrounded by single and multifamily houses. The site is in the Residential R-6 zone.

This proposal is being reviewed under the Site Plan and Subdivision Ordinance of Land Use Code. The project will also be reviewed against the R-6 Small Infill Development Design Principles & Standards (Appendix 7 of the Design Manual) and the Two-Family, Special Needs Independent Living Units, Multiple-Family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters Standards (Sections (d) and (l), and Appendix 2 of the Design Manual). This project was submitted on October 10, 2017, which is prior to the Council’s action to enact the Interim Overlay Zoning, so this project is not subject to the interim provisions.



Figure 1: Aerial of the Proposed Site

Notices were sent upon receipt of the application and one hundred and eighty-three (183) notices were sent to area residents within 500 feet of the site and the interested party list for the public hearing. A notice also appeared in the March 19th and 20th 2018 editions of the *Portland Press Herald*.

Applicant Name	Kelly and Walter Williams
Consultants	
Engineer	Will Savage of Acorn Engineering, Inc.
Architect	Andy Hyland, Port City Architecture
Surveyor	Owen Haskell, Owen Haskell, Inc.

Project Reviews

<i>Review</i>	<i>Applicable Standards</i>
Site Plan	14-526
Subdivision	14-491
Design Manual	R-6 Small Infill Development Design Principles & Standards (Appendix 7 of the Design Manual) and the Two-Family, Special Needs Independent Living Units, Multiple-Family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters Standards (Sections (d) and (l), and Appendix 2 of the Design Manual)

II. PROJECT DATA

Existing Zoning	Residential R-6
Existing Use	Residential – Two Family
Proposed Use	Residential
Proposed Development Program	5 residential units
- Bedroom Mix	4 two-bedroom units, 1 three-bedroom units
Parcel Size	4,671 SF
Proposed Parking	6 spaces

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	1,526 SF	2,823 SF	1,297 SF
Building Floor Area	4,038 SF	12,312 SF	11,258 SF
Impervious Surface Area	2,872 SF	8,951 SF	6,079 SF
Parking Spaces (on site)	2	5 (2 required)	4
- handicapped	0	1	1
Bicycle Parking Spaces	0	4 internal	4
Estimated Cost of Project	\$2.4 Million		

III. EXISTING CONDITIONS

24 St. Lawrence Street is located on the west side of St. Lawrence Street on Munjoy Hill and is surrounded by residential uses, including both single and multi-family homes. The property is currently developed with a two and half stories, two-family house and a paved surface parking. The existing driveway will be closed and a new driveway will be introduced.; due to this, one on-street parking space will be lost. The site is within the Residential R-6 zone.

The site also has retaining walls at the rear and southwest corner to stabilize the slopes and create a buildable envelope.

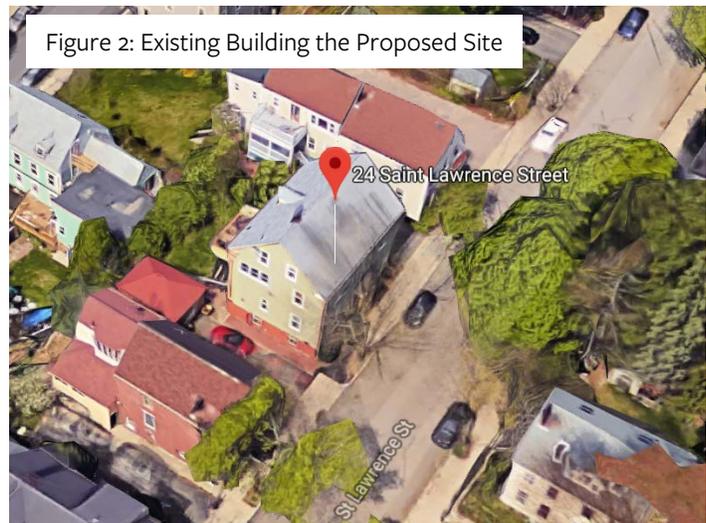


Figure 2: Existing Building the Proposed Site

IV. PROPOSED DEVELOPMENT

The proposal, including floor plans and elevations, are included in the plan set and have been revised to address some of staff concerns. The development project is proposed as new construction of a five-unit apartment building with four two-bedrooms units and the fifth unit with three-bedrooms. The building has two stair towers and an elevator at the front of the building. The second stair tower is required by international building code because building is higher than three stories. The building will be four stories high with a building height of 44.96 feet and 2,823 SF footprint. At four stories high, the scale of this apartment building will need to be in balance the residential uses of the street and neighborhood.

All three of the units will share access via a common entrance on St. Lawrence Street. Vehicular circulation will be centrally located on the site accessed from St. Lawrence Street. Parking for each unit will be located underneath the new building. The R-6 zone does not require parking spaces for the first three units. However, the applicant is proposing six parking spaces. Two bicycle parking spaces are also proposed as part of this project. A designated area for snow storage is located adjacent to the proposed building. Landscaping is shown at the front and rear of the property.



Figure 3: Proposed Site Plan

Below are renderings of the proposed building.



Figure 4: Rendering of Front of Proposed Building



Figure 5: Rendering of Rear of Proposed Building

V. PUBLIC COMMENT

As of the writing of this report, there has been fourteen individuals, some of which have submitted multiple written comments for a total of 23 comments, that have submitted public comment. Concerns raised by abutters were focused mostly on the design of the building, especially the height and massing. Public comments are included in Attachments PC1 to PC14.

The applicant held a neighborhood meeting on November 2, 2018 and twenty-four (24) members of the public attended, see Attachment V for the meeting minutes.

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

a. The owner of the property is Kelly and Walter Williams. The applicant has provided a copy of a quitclaim deed of sale, recorded at the Cumberland County Registry of Deeds (Book 25609 Page 269), which demonstrates their right, title and interest in the property.

b. The estimated cost of the development is \$2,400,000. The applicant has submitted a letter from Gorham Savings Bank, dated October 3, 2017, as demonstration of their financial and technical capacity to complete the proposed development.

VII. ZONING ASSESSMENT

The proposed project is to build a four-story five-unit apartment building. The property is located in the R-6 Residential Zone. The proposed five residential are a permitted use and meet the density requirements in the Residential R-6 zone. The height of the building is 44.96 feet, the maximum building height is 45 feet. Under the R-6 zone most of the dimensional requirements are being met except for lot coverage; the zoning requires 60% and the development exceeds this percentage due to balconies and decks. The building and site plan need to be revised to meet the 60% requirement of the lot coverage. For off street parking, Division 20 requires no parking for the first three units and one parking space per unit for residential uses after the first three in the R-6 zone. Even though two parking spaces are required, the applicant is proposing six parking spaces as shown on the site plan.

VIII. DEVELOPMENT REVIEW

A. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527) and SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)

The applicant has submitted a recording plat. The final plat will need to be revised to reflect any waivers and conditions of approval that relate to the subdivision plan. Any waivers granted must be recorded at the Registry of Deeds within 90 days of a Planning Board decision. As writing of this report, there is one waiver request.

B. SUBDIVISION (Section 14-497)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)

Lauren Swett, P.E. with Woodard and Curran Engineering, has reviewed the erosion and sediment control plan and is satisfied with the proposed plans. Confirmation of ability to serve letters for water and sewer from PWD and DPS have been submitted to the Planning Division.

2. Sufficient Water Available (Section 14-497 (a) 2 and 3)

The project will be served by the existing utility services located in St. Lawrence Street. The existing building is currently served with a ¾-inch domestic water service; the size of this service is undersized for the proposed use. This service will be terminated and a new 4-inch line is proposed to tap into the main with a parent child connection in the right-of-way. A 2-inch line will split off of the 4-inch line and serve as the domestic water line with the 4-inch line functioning as the fire sprinkler line. A capacity letter from Portland Water District has been provided. Ms. Swett has reviewed this information and notes the following:

Notes should be added to the plan to coordinate retirement of existing services with the respective utilities. It is noted that for the retirement of a sewer service, a permit is required, and the Sewer Maintenance Division must be on site for the work.

The Applicant has received an Ability to Serve approval letter from the Portland Water District. The Applicant should ensure that any changes to the utility plan are reviewed again by PWD as necessary. It's noted that the layout and location of gate valves and tapping sleeves does not appear to be in accordance with the PWD standards.

3. Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)

The project proposes the removal of the existing driveway and replacing with a 12.75-foot driveway. The proposed entrance will lead into the proposed 10-foot wide parking garage entrance. One curb cut is proposed at this entrance, with the existing curb cut being closed. Furthermore, the proposed driveway/curb cut maintains over 20 feet of face to face separation from the abutting driveways. Tom Errico, P.E. Ty Lin reviewed the proposal's details including the access, parking, and vehicle circulation (Attachment 1). Mr. Errico finds the project to be acceptable.

The proposed project is not anticipated to cause unreasonable traffic congestion. The staff finds the proposed project is in conformance with this standard. Mr. Errico states:

I have reviewed the application materials and I find the project to be acceptable from a traffic engineering perspective. I would note that the driveway width, apron detail and separation to the nearest driveway to the north meet City Technical Standards. On-site parking and circulation is also acceptable.

4. Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)

An existing sewer service was located within St. Lawrence Street. Prior to demolition, the existing service will be disconnected from the main. A new 6" service is proposed to be tied into the existing main as seen on the Utility Plan. Confirmation of ability to serve letter for sewer from Department of Public Service has been submitted to the Planning Division. Ms. Swett has reviewed this information and notes that "*per Chapter 2 of the City's Technical Manual, when services 8 inches or greater in size are connected to the main, they should be connected via a manhole structure*".

5. Scenic Beauty, Natural, Historic, Habitat and other Resources (Section 14-497 (a) 8)

The proposal site is not within an historic district. It is in an urban neighborhood surrounded by a variety of residential building types. The proposed building does not impact the natural beauty of the area or adversely affect any significant wildlife habitat, rare or irreplaceable natural areas, or any public access to the shoreline. The staff finds the proposal in conformance with this standard.

6. Comprehensive Plan (Section 14-497 (a) 9)

The development has been designed to be consistent with the City's Comprehensive Plan, adopted June 2017.

C. SITE PLAN STANDARDS (Section 14-526)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

1. *Transportation Standards*

a. Impact on Surrounding Street Systems and Access and Circulation- see Subdivision, Paragraph VIII (B) (3), above.

b. Sidewalks

The applicant is proposing to install new brick sidewalk along their frontage on St. Lawrence Street. This site is in the brick district.

c. Public Transit Access

The public transit requirements do not apply to this project.

d. Parking

There are six parking spaces and these are located inside the building and screened from the street view.

e. Bicycle Parking

The proposal includes two bicycle parking spaces in the garage of the building, which meets the ordinance standard of two bicycle spaces per 5 vehicle spaces.

1. *Environmental Quality Standards*

a. Preservation of Significant Natural Features

There are no known significant natural features on the site.

b. Landscaping and Landscape Preservation

There is one existing, mature tree within the right of way and it is proposed that this tree be removed to accommodate the new driveway entrance. Landscaping in the form of trees, shrubs, perennials, and grasses around the building will replace this tree as well as the two proposed 'Accolade' Cherry trees within the right-of-way, as the suggestion of Jeff Tarling, City Arborist, due to overhead utilities. All of Mr. Tarling's previous recommendations have been addressed.

The applicant is proposing two street trees on St. Lawrence Street, in front of the building. The site will have landscaping along the front of the building as well as on the side of the property. Due to site restrictions, the remaining three street trees cannot be planted on the site. Therefore, the applicant will need to contribute to the City's Tree Fund for the three trees, which is a total of \$1,200.

The site also has retaining walls at the rear and southwest corner to stabilize the slopes and create buildable area; the walls are on this and the abutting properties. The majority of the retaining walls will not be improved but the portions that are on the applicant's property will be upgraded. More information on the geotechnical has been requested of the applicant.

c. Water Quality, Storm Water Management and Erosion Control

The proposed development disturbs approximately 4,800 square feet (approximately 0.1 acres). According to Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards.

There is currently no drainage infrastructure on site. It is proposed to install a field inlet along the northerly side of the property to help drain runoff from the site and adjacent properties. This inlet will then tie into the foundation drain which will then wye into a storm drain along with the roof drain. The 8" storm drain will connect to the combined sewer. A separate storm drain has been designed so that if the sanitary sewer main is separated in the future along St. Lawrence Street, the storm/groundwater will be able to discharge to the separated storm main.

Lauren Sweat, Consultant Engineer has reviewed the stormwater information and states following

comments:

General Standards: The project will result in a de minimis increase in impervious area of approximately 543 square feet. As such, the project is not required to include any specific stormwater management features for stormwater quality control. We encourage the Applicant to review the City's Stormwater Service Charge Credit Manual (available online) to evaluate whether they may want to incorporate stormwater quality treatment measures that qualify for a future Stormwater Service Charge credit.

Flooding Standards: The project will result in a de minimis increase in impervious area of approximately 543 square feet. As such, the project is not required to include any specific stormwater management features to control the rate or quantity of stormwater runoff from the site.

A backflow preventer should be provided on the foundation drain connection to the sewer.

2. Public Infrastructure and Community Safety Standards

a. Consistency with Master Plans

See Subdivision, Paragraph VIII (B)6 above.

b. Public Safety and Fire Prevention

The Crime Prevention through Environmental Design (CPTED) standards in the site plan ordinance address the principles of natural surveillance, access control and territorial reinforcement so that the design of developments enhance the security of public and private spaces and reduce the potential for crime. The applicant has introduced wall mounted lighting at all entrance ways and along the balcony of each unit. Wall mounted lighting will also be provided for the area by the parking garage. The entrances to the building will be well-lit and visible from the street and adjacent walkways to provide natural surveillance.

The Fire Department has reviewed the project and finds majority of the project acceptable except for the separation distance between the proposed building and the existing abutting home at 20 St. Lawrence Street. The existing house has windows on the side of the building that faces the development. The standard is that there be a separation of 10 feet between buildings when there is are windows on the side of buildings. Captain Mike Thompson of the Fire Department has requested more information on the “*height of the second-floor window sill, from sill to ground, on the side of 20 St. Lawrence Street facing the proposed structure*”.

c. Availability and Adequate Capacity of Public Utilities

The project will be served by the existing utility services located in St. Lawrence Street. The Applicant has contacted the Portland Water District and the City Department of Public Services requesting ability to serve letters for water and sewer demand. A capacity letter from PWD has been provided. Confirmation of ability to serve letters for sewer from DPS should be forwarded to the Planning Authority prior to the public hearing.

3. Site Design Standards

a. Snow and Ice Loading

Snow removal will only be necessary for the parking garage entrance and walkways. Removal will be minimal and accommodated on site. The applicant is proposing on-site snow storage area to the south of the site.

b. View Corridors

This site is not within a Protected View Corridor as per the “View Corridor Protection Plan” approved by the Portland City Council in 2001.

c. Historic Resources

The site is outside the 100-foot setback of the West End historic district; therefore, the project does not have to be reviewed by Historic Preservation.

d. Exterior Lighting

The proposal has noted wall mounted lighting along all the entrances and at the balconies. According to the applicant, any proposed lighting will be full cutoffs.

e. Noise and Vibration

The mechanical equipment will be on the roof of the proposed building and will be screened from St. Lawrence Street by the proposed Mezzanine. All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment will have to be shown on the plans and meet state and federal emissions requirements. These mechanical equipment should be located to the interior of the site, away from abutting residential properties and be screened from view from any public street and from adjacent sites by structure walls, evergreen landscaping, fencing, masonry wall or a combination thereof. This information will have to be submitted for review by the Planning Authority prior to the final site plan and building permit.

f. Signage and Wayfinding

This standard does not apply to the proposal.

f. Zoning Related Design Standards

A design review according to the City of Portland Design Manual Standards was performed for the proposed new construction of a multi-family dwelling at 24 St. Lawrence Street. The review was performed by Caitlin Cameron, Urban Designer, Shukria Wiar, Planner, along with Jeff Levine, Department Director, all within the Planning Division of the Department of Planning & Urban Development. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual) as well as the *Two-family, Special Needs Independent Living Units, Multiple-family, Lodging Houses, Bed and Breakfasts, and Emergency Shelters* (Section I of the Design Manual).

Design Review Criteria:

The project was reviewed with the *R-6 Alternative Design Review* which has the following criteria:

- a. Proposed design is consistent with all of the Principle Statements
- b. The majority of the Standards within each Principle are met
- c. The guiding principle for new construction under the alternative design review is to be compatible with the surrounding buildings in a two-block radius in terms of size, scale, materials, and siting, as well as the general character of the established neighborhood, thus Standards A-1 through A-3 shall be met.
- d. The design plan is prepared by an architect registered in the State of Maine.

Findings of the Design Review:

The design review memo prepared by Caitlin Cameron, Urban Designer, is included as Attachment 4. The staff review of the proposed building does not pass all of the criteria of the R-6 Alternate Design Review. In particular, Principle A Overall Context and Principle B Massing are not met. In addition, Principle D Proportion and Scale are partially met. Refer to the design memo (Attachment 3) for the specific comments. The staff is also requesting additional information from the applicant for the design review:

- Label the materials on the elevations; clarify discrepancy between materials on elevations and renderings
- Provide a design narrative that explains how the proposal meets the design standards
- Project exceeds the 60% lot coverage

Comments for the specific standards are provided in Attachment 3.

VII. NEXT STEPS

1. Address staff comments;
2. Address additional comments of the Planning Board;
3. Prepare final plan submission, including subdivision and site plan submittal requirements as included in 14-496(a) and (b) and 14-527(e) and (f) for review by the Planning Authority and Planning Board; and
4. Hold final Planning Board Hearing.

IV. ATTACHMENTS

Staff Review Comments

1. Traffic Engineering Review (Tom Errico, T Y Lin), comments dated
2. Civic Engineer Review, Lauren Swett, dated 02.01.2018

3. Urban Designer Review, Caitlin Cameron, dated 03.16.2018
4. Fire Department Review, Capt. Mike Thompson, dated

Public Comments

- PC 1. Ariana van den Akkar 11-2-17
- PC 2. Beth Snyder 1-10-18
- PC 3. Carol Stillwell 1-7-18
Carol Stillwell 11-1-17
Carol Stillwell Photo Attachment
- PC 4. J. Wuesthoff 1-11-18
- PC 5. Jayne Hurley 1-8-18
- PC 6. Karen Snyder 10-20-17
Karen Snyder 11-7-17
- PC 7. Katherine Collins 11-15-17
- PC 8. Kelly Williams 10-23-17
- PC 9. Lynn Hallett 11-7-17
- PC 10. Maggie W. 1-4-18
- PC 11. Martica Douglas 1-8-18
Martica Douglas 12-2-17
- PC 12. Martica Sawin 2-23-18
Martica Sawin 10-24-17
Martica Sawin 12-5-17
- PC 13. Michael Petit and Pamela Day 10-24-17
Pamela Day 1-3-18
Pamela Day and Michael Petit
- PC 14. Rob Whitten 1-8-18
Rob Whitten 11-20-17

Applicant's Submittal

- A. Cover Letter
- B. Level III Final Site Plan Application
- C. Wastewater Capacity
- D. Right, Title, or Interest
- E. Financial Capacity
- F. Construction Management Plan
- G. Stormwater Management Report
- H. Erosion and Sedimentation Control Report
- I. Utilities
- J. Solid Waste
- K. Fire Department Letter
- L. Conformity with Land Use Ordinance
- M. Request for Waivers
- N. Written Easements
- O. Architectural Design Narrative
- P. Lighting
- Q. Parking Analysis
- R. Comment Response Letter
- S. Certification Letter
- T. Neighborhood Meeting Invitation
- U. Sign-In Sheet
- V. Neighborhood Meeting Minutes

Plans

- Plan1 Cover Sheet
- Plan2 General Notes
- Plan3 Existing Conditions Plan
- Plan4 Construction Management Plan
- Plan5 Stormwater Management Plan

Plan6	Site Plan
Plan7	Landscaping Plan
Plan8	Utility Plan
Plan9	Grading & Drainage Plan
Plan10	Site Details 1
Plan11	Site Details 2
Plan12	Utility Details 1
Plan13	Utility Details 2
Plan14	Erosion & Sedimentation Control Details
Plan15	Ground Floor Plan
Plan16	Upper Floor Plans
Plan17	Building Elevations
Plan18	Front Rendering A - Front Rendering A
Plan19	Front Rendering B - Front Rendering B
Plan20	Rear Rendering - Rear Rendering
Plan21	Lower Street Rendering - Lower Street Rendering
Plan22	Upper Street Rendering - Upper Street Rendering
Plan23	Subdivision Recording Plat