



PLANNING BOARD REPORT PORTLAND, MAINE

**MMC East Tower and Visitor Garage Vertical Expansion and Relocation of Helipad
22 Bramhall Street
Level III Site Plan
Project # 2017-289
Maine Medical Center, Applicant**

Submitted to Portland Planning Board: Public Hearing Date: March 27, 2018	Prepared by: Jean Fraser Date: March 23, 2018
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I. INTRODUCTION

Maine Medical Center has requested a final review of its Level III Site Plan application for vertical extensions to the existing East Tower (two stories; approx. 60,000 sq ft) and to the existing Visitor’s Garage on Congress Street (3 stories to provide an additional 225 parking spaces). The application includes the relocation of the helipad to the roof of the East Tower, and the applicant has confirmed that the application does not include the Central Utility Plant.

It is understood that the 64 single-occupancy bedrooms will not add patient capacity as they would allow existing double-occupancy patient rooms elsewhere to be single-occupancy.

The application is the first of three Site Plan applications associated with the short-term MMC expansion plans. The proposals follow on from the City’s recent adoption of an MMC Institutional Overlay Zone and the associated Institutional Development Plan and Regulatory Framework (both attached to this Memo). The review includes aspects of the MMC IOZ Regulatory Framework that required action at the time of the first site plan (TDM and Signage Plans).

The first Workshop was held on 1.23.18 and addressed the following topics:

- Design, including Street Activation
- Helipad
- Construction Management Plan overview, plus East Tower

The second Workshop was held on 2.27.18 and focused on the following topics:

- Construction Management Plan and associated Traffic Control (Detour) Plans
- Design Update
- Utilities including stormwater and wastewater capacity

Applicant: Maine Medical Center; Alexander Green, Director of System Planning and Regulatory Compliance
Agent and Engineer: Sebago Technics Inc
Architect: Perkins + Will; Jeffrey Keilman, Senior Project Manager, Senior Associate

Required Reviews:

<i>Applicant’s Proposal</i>	<i>Applicable Standards</i>
Addition of 60,940 sq ft to the East Tower; addition of 77,021 sq ft to the Visitor Garage	Level III Site Plan Review 14-526
Additions that would increase height; helipad	MMC IOZ Regulatory Framework

Waiver Requests: None identified at this time.

II. PUBLIC COMMENTS

This Hearing was noticed to 263 neighbors and interested parties and advertised in the March 19th and 20th 2018 editions of the *Portland Press Herald*. The Planning Division previously received two public comments raising concerns related to the design, use of the retail space under the Visitors Tower, the proposed construction detour and the impact of the construction and development on local residents parking.

III. PROJECT DATA

SUBJECT	DATA for EAST TOWER	DATA for VISITORS GARAGE
Existing Zoning	IOZ	
Existing Use	Hospital	Hospital parking garage
Proposed Use	Hospital- adding single rooms for 64 patient beds	Hospital parking garage - 3-story addition for 225 parking spaces
Parcel Size	12.52 acres	
Impervious Surface Area		
--Existing	415,220 sq ft	415,220 sq ft
--Proposed	0 sq ft	0 sq ft
--Net Change	0 sq ft	0 sq ft
Total Disturbed Area	0	0
Building Footprint		
--Existing	30,470 sq ft	25,674 sq ft
--Proposed	0 sq ft	0 sq ft
--Net Change	0 sq ft	0 sq ft
Building Floor Area		
--Existing	152,350 sq ft	200,000 sq ft
--Proposed	213,290 sq ft	277,021 sq ft
--Net Change	60,940 sq ft	77,021 sq ft
Parking Spaces		
--Existing	2,328 (entire campus)	
--Proposed	2,553	
--Net change	225	
--# of handicapped spaces	6	
Bicycle parking Spaces		
--Existing	193 (entire campus)	
--Proposed	0	
--Net change	0	
Estimated Cost of the Project	TBD	

IV. PLANNING BOARD WORKSHOPS - SUMMARY OF ISSUES AND COMMENTS

The following table summarizes the PB comments and the responses:

PB comment	Response
Design - comments regarding the East Tower included: <ul style="list-style-type: none"> Looks like new building on top; Looks glaringly institutional; Seeking more cohesive- more integration Would like more info on how the white wall of the ET expansion will relate to other new buildings Would like to see renderings with other colors (?silver)/options for Board to consider Requested rendering of ET from long view 	Staff met with MMC on several occasions to better understand the options they had considered and the constraints. The applicant submitted a "Design Review Update" (WS Q -2 2.23.18) and amplified on this at the second Workshop (Presentation WS S - 13) and recently submitted WS Q -3 Design Review Update 3.23.18 to clarify the design process and respond to comments.
Would like to see details of visitor garage fencing and other fall protection; also seek roofline articulation	The Hearing submittal includes a revised garage treatment that largely hides the fall protection fencing (See <i>Hearing Plans B a</i>).
How is MMC addressing the loss of parking in visitors garage while under construction	Displaced visitors parking spaces will be relocated into employee garage. Access to visitors garage will be via the employee garage during construction.
What upgrading is planned for retail space under garage?	Will be fit out for Turner - but will anticipate future retail uses.
Interested in the 2-way Park Avenue option	Discussed at a "check-in" meeting between staff and MMC; concluded that this was too complicated to do safely and correctly in the time available (would need to be designed and implemented by May 8).
Disappointed not relating the buildings better to local streets to be part of neighborhood	No further information submitted.
Parking garage needs more visual interest - more creative way that doesn't reinforce massing	The applicants have revised the design of the overbuild on the Visitors Garage so it incorporates an extension to the existing grid design cladding above the top level and overlaps the fencing.
Detour plans should take account of Seadogs Games	The applicant has met with the Seadogs management and the <i>Detours Presentation V5 (Hearing Plans A a)</i> outlines action that will be taken to coordinate.

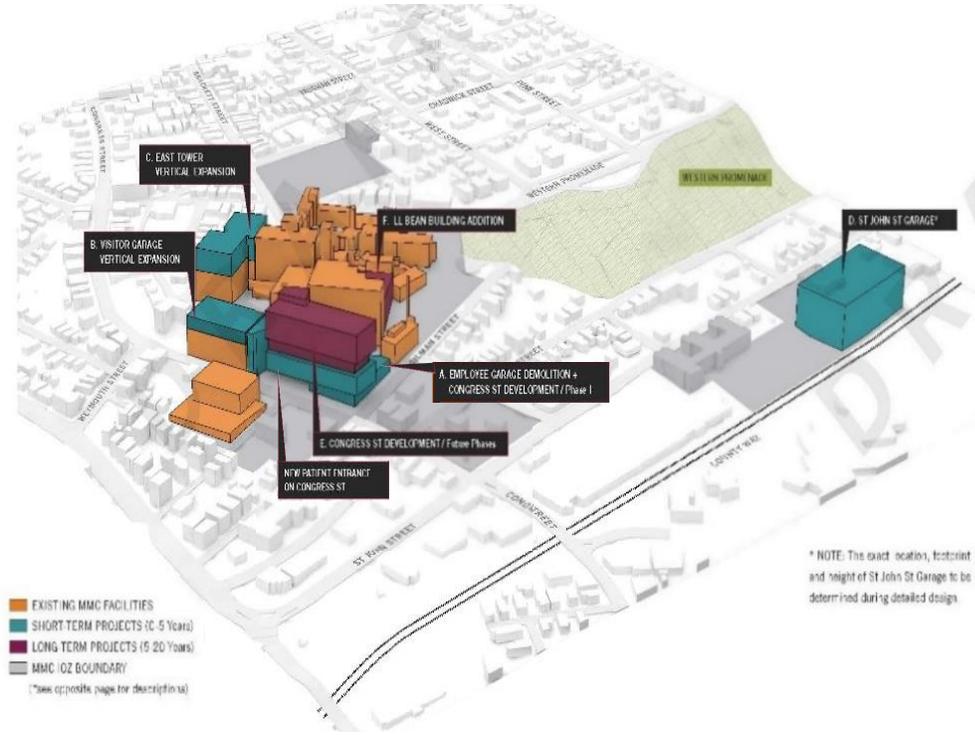
Detour routes not fully understood	The <i>Detours Presentation V5 (Hearing Plans A a)</i> provides background information on how the detour routes were selected.
CMP should include ongoing forum for neighbors to be able to give feedback	The <i>CM Plan (Hearing Plans A c WS 1 - 6 3.21)</i> and <i>Communication Strategy (Hearing Plans A b)</i> addresses this

V. SITE AND CONTEXT

The approved Institutional Development Plan (IDP) (*Attachment 4. First Workshop folder*) provides information regarding the hospital site and its development over the years, along with context information. Photographs of the existing buildings (proposed to be expanded) are included below.

VI. PROPOSALS

The submissions include a description of the proposals and plans and graphics of the proposed “overbuild”. The graphic to right is extracted from the IDP in Att.4 (pages 44/45)



East Tower: Addition of two floors (64 patient rooms, single-occupancy):



Existing from south



Proposed, comparable rendering (see WSQ - 1)

Visitor Garage: 3 additional floors of parking spaces: (renderings not submitted)



Existing as viewed looking west



Proposed north elevation

VII. RIGHT, TITLE, & INTEREST

The applicant has provided recorded deeds in *WS B (First Workshop folder)* as evidence of Right, Title & Interest.

Land Transfers ref submitted "recording plats": The original submission included two "recording plats" that identified street transfers and discontinuances that relate to the two buildings under review. After some research, staff agree that these do not require Planning Board action, but suggest a condition of approval that requires completion of any necessary procedural steps by the time of a CO for East Tower and Visitors Garage overbuild.

VIII. FINANCIAL & TECHNICAL CAPACITY

A letter outlining MMC's ability to fund the proposed development is included in *Attachmet WS G* in the First Workshop folder.

IX. SITE PLAN SUBMISSION REQUIREMENTS

All site plan applications are required to show evidence of applicable State and Federal approvals. The applicant has outlined the approvals that are pending with the FAA for the height of the proposed overbuild development and the associated cranes for construction (*Hearing Applicants Submittal WS S-6D FAA*) and also the FAA application for the relocated helipad (*WS-6B Helipad FAA Second Workshop folder*).

Staff recommend the following condition:

That the applicant shall submit evidence from the FAA that the location and height of the construction equipment, the overbuild heights, and helipad relocation is acceptable prior to the certificate of occupancy for the approved overbuild floor area, or the operation of equipment and helipad.

X. ZONING ANALYSIS and REVIEW

Overview

The zoning map at right shows the recently adopted MMC IOZ in blue cross hatch:

The MMC IOZ *Regulatory Framework (Attachment 5)* is the zoning ordinance that applies to the proposed site plan projects; this was reviewed by the Planning Board in early 2017 and adopted by the City Council in December 2017.

The proposed additions to the East Tower and the Visitors Garage were included in the IDP background material for the zoning amendment, and the proposals now subject to this site plan review are consistent with what was discussed during that review.

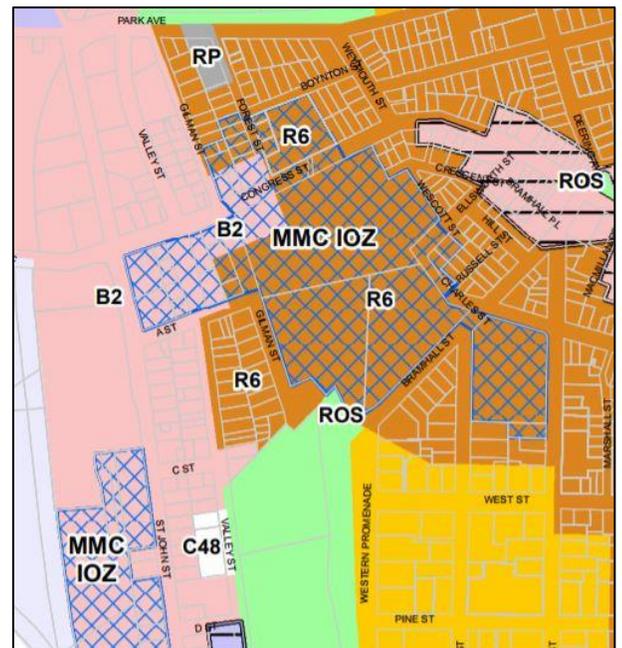


Table 1 below summarizes the *Regulatory Framework* provisions that apply to the current review and includes staff comments:

TABLE 1 RELEVANT EXTRACTS FROM MMC IOZ REGULATORY FRAMEWORK (entire document is in Att. 5)

MMC IOZ Regulatory Framework provisions	MMC Site Plan submissions to address the RF provisions	Staff Review Comments for Hearing
<p>(c) Uses: Note under list:</p> <p>1. Mixed Uses: In recognition that Maine Medical Center is part of a mixed-use area of the City, with important existing services and businesses that serve the local and wider community, healthcare facility development fronting onto Congress Street and St. John Street shall activate the public realm, to the extent able, with uses such as service and retail/restaurant, landscaping, active building entrances, pocket parks, etc., on the ground or other publicly accessible level, consistent with the design intent contained in the approved Institutional Development Plan (IDP). In areas identified in the IDP as “Priority zone for commercially oriented/retail uses,” usable ground floor retail, restaurant, or comparable community-oriented use that provides services to local residents and employees both during the day and evening hours is required. In areas labeled “Street activation through location of windows, entrances, etc.,” usable ground floor retail, restaurant, or community oriented use is encouraged to the extent practicable. Such uses, where constructed or facilitated as part of a healthcare related development, are expressly permitted whether ancillary or supporting the healthcare facility or not, and shall be open and welcoming to the general public in addition to employees or visitors of Maine Medical Center.</p>	<p>The current submission does not include proposals for the existing empty retail space along the base of the Visitors Garage.</p> <p>It is understood from meetings that Turner Construction will be fitting out these units so that the film will be removed and new infra-structure (eg bathrooms) will be designed to anticipate future retail use. This has not been confirmed in the written submissions.</p>	<p>Staff consider that the entire building is subject to the review and therefore MMC needs to develop strategies to address any “blank walls’ along Congress Street in accordance with the <i>Regulatory Framework</i> and the IDP Design Guidelines/ Fig 5.15 re Street Activation (p117 of IDP in <u>Att. 4</u> to this Memo)</p> <p>Use of these units by Turner as a construction base is welcomed; confirmation of this and the longer term intention was requested for the final submission.</p> <p>The final submissions do not appear to have addressed this issue and staff are preparing a potential condition of approval for the Board’s consideration at the Public Hearing.</p>
<p>(d) Dimensional Requirements - Maximum Building Height:</p> <p>East Tower: 150 feet (the IDP indicated a future height of 141 ft including helipad)</p>	<p>Submitted proposals indicate a height of just over 146 ft but part of the helipad appears to be higher</p>	<p>Clarification was requested as to helipad height compared to the average grades identified in the IDP. The additional information was received; it confirms height including the helipad is 142 feet</p>
<p>(d) Dimensional Requirements - Maximum Building Height:</p> <p>Visitors Garage: 125 feet (the IDP indicated a future height of 119 ft)</p>	<p>Submitted proposals indicate a height of 119 ft excluding part of the stair tower</p>	<p>Appears to meet dimensional requirements as stair and elevator overruns are considered appurtenances. Additional information was received which confirms height is 119 feet</p>
<p>(d) Dimensional Requirements - Transition Zones - none at these locations</p>	<p>N/A</p>	<p>N/A N/A</p>
<p>(d) Dimensional Requirements - Setbacks:</p> <p>East Tower - 20 ft Visitors Garage - up to 40 ft</p>	<p>N/A</p>	<p>N/A N/A</p>
<p>(e) Design</p> <p>New buildings within the IOZ shall adhere to the Design Guidelines set forth in Chapter 5: Design of the IDP and the site plans standards of the City of Portland.</p>	<p>MMC submitted two architectural narratives (design updates) and presented additional information at the workshops.</p>	<p>The Design review comments for the workshops have amplified on issues raised by the Planning Board; the final Design Review memo (<i>Attachment 18</i>) acknowledges the limitations outlined by MMC and also notes that the increased height for the grid cladding on the Visitors Garage helps address earlier concerns.</p>
<p>(f) Signs:</p> <p>1. At the time of first site plan review following IDP approval, a unified campus-wide Signage Plan shall be submitted for review and approval by the Planning Authority. Any update to such plan due to a change in name or logo shall not require amendment to the IDP.</p> <p>2. Signs shall be designed in accordance with the campus-wide Signage Plan. All signs shall be designed in proportion and character with building facades and adjacent street typology. All signs shall be coordinated with the building and landscaping design and be constructed of appropriate permanent, high quality materials and finishes.</p>	<p>The applicant has submitted the Signage Plan (<i>Plan 11</i>, First Workshop set) that illustrates how the existing signage fits into the campus. The current proposals for the East Tower and Visitors Garage do not necessitate any additional signage, so this plan comprises the current Signage Plan.</p>	<p>Staff anticipate that this Strategy would be updated to take account of the signage needs of the new St Johns Garage and new hospital building (future site plans).</p> <p>A potential condition of approval clarifies that in respect of the East Tower and Visitor Garage any new signage would need review and approval by the Planning Authority in the context of the MMC IOZ Regulatory Framework and IDP Design Standards.</p>

<p>(g) Transportation: (TDM)</p> <p>1. Transportation Demand Management (TDM):</p> <p>a. At the time of the first site plan review following IDP approval, MMC shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved Institutional Development Plan. The TDM Plan may be phased into short-, mid-, and long-term actions to allow for progressive implementation over time.</p> <p>b. The TDM Plan shall be designed to provide transportation choice with the goal of reducing parking demand and single-occupancy vehicle trips to and from MMC by employees and visitors.</p> <p>c. The TDM Plan shall establish parking and trip reduction targets associated with the short-term (0-2 years), mid-term (2-5 years), and the long-term (5+ years), as well as a data collection plan.</p>	<p>The applicant submitted a TDM Plan (<u>Att. WS S-7</u>) on 12.15.17 and staff review comments were sent on 1.24.18.</p> <p>A revised TDM was submitted 2.13.18 and staff have not sent further comments and a detailed discussion was not part of the earlier workshops.</p>	<p>The discussions regarding the Congress Street closure and design have dominated the review, and staff consider more time is needed to develop the TDM plan with MMC and determine how the TDM plan should address any issues arising from the next two site plans. Additional time will also allow MMC to hire a TDM coordinator and integrate that coordinator into the development of the TDM plan.</p> <p>A TDM is both a site plan and <i>Regulatory Framework</i> requirement for the East Tower, and a condition is recommended to ensure that the Plan is revised, approved and implemented in time for it to be in place when the development is occupied:</p> <p><i>That the applicant shall finalize a TDM Plan that addresses the Regulatory Framework and Site Plan requirements, for review and approval by the Planning Board prior to the issuance of a Certificate of Occupancy for the East Tower.</i></p>
<p>(g) Transportation: (Parking)</p> <p>2. Parking:</p> <p>a. Parking requirements in the IOZ shall be established at the time of site plan review based on a parking study that includes a campus-wide analysis of demand and supply. The parking demand study shall determine parking requirements and shall be sufficient to alleviate parking pressure on surrounding neighborhoods.</p> <p>b. Parking studies developed by MMC shall integrate parking and trip reduction achievements and data contained in the TDM Plan.</p>	<p>A Parking Demand Study (<i>Att WS S-8 First Workshop folder</i>) was submitted and identifies shortfalls in both visitor and employee parking supply and elaborates on the background information in the approved IDP. The Visitor Garage proposals will temporarily remove 2 levels of parking during construction, but will result in a net increase of 225 visitor parking spaces when complete. Staff have been advised verbally that during construction the spaces in the employee garage will be re-allocated to visitors, with some employees then reallocated to other lots.</p>	<p>Tom Errico, the City's consultant traffic engineering reviewer, comments:</p> <p><i>During the construction of the Visitor parking garage, the top two floors of the existing garage will be taken out of service. The applicant should provide parking management details addressing the loss of the noted parking spaces.</i></p> <p>Staff recommend the following condition be added to the CMP condition relating to requirements:</p> <p><i>Provision of alternative parking for any parking displaced by the construction either on or off the MCC campus;</i></p> <p>Staff note that 6 handicapped spaces are included in the 225 new spaces, and requested confirmation that this meets ADA requirements. This information does not appear to be included in the latest submissions, and staff therefore suggest the following condition of approval:</p> <p><i>That the final parking layout of the Visitors Garage shall meet the City's Technical Manual Standards and all applicable State and Federal standards regarding handicap accessibility.</i></p>
<p>(h) Environment. Development proposed by MMC shall be designed to integrate with the surrounding context, including open space and pedestrian networks and infrastructure.</p>	<p>Staff have requested that MMC address the use and safety of the pedestrian routes in the vicinity of the Visitor Garage and how the connections to Congress street will be maintained or redesigned. MMC have noted that there are current security issues with the route that goes along the eastern edge of the garage.</p>	<p>Staff appreciate that the grades and current uses present a challenge and that the surrounding pedestrian network may need to be revised in relation to the new hospital. Therefore the following condition of approval is recommended to ensure that the Visitor Garage and East Tower are part of the pedestrian networks (both within and outside the ROW) developed as part of the new hospital development.</p> <p><i>That the applicant shall develop a long term public Pedestrian Network Plan showing the integration of the upper level MMC campus with the Congress Street corridor, including measures to address CPTED principles, for implementation when the retail space beneath the Visitors Garage is available for lease or sale; such plan to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit for the Congress Street Hospital Entrance.</i></p> <p>It should be noted that the Design Review has raised a question over the need for interim action in respect of the Congress Street access to the existing pedestrian route along the east side of the garage.</p>

<p>(i) Mitigation measures. MMC shall mitigate site plan impacts to off-premise infrastructure in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of MMC development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.</p>	<p>The submissions for the Workshops largely focusses on why the applicant considers that they are not required to make any changes to the stormwater system. The presentation to the second Workshop and associated Response (Hearing Submittal WS L-4 <i>Stormwater comment Response</i>) also outlined why there is little scope to achieve greater separation in respect of the Visitor Garage stormwater.</p>	<p>The DPW and Peer Engineer comments (<i>Attachments 14 and 17</i>) have encouraged the applicant to remove stormwater discharges from the City's combined system in Congress Street to meet Site Plan ordinance requirements (see below) and mitigate the hospitals impacts on the system.</p> <p>Discussions with MCC and their consultants explored the scope for separation and detention and DPW representative concluded that the best option was to achieve greater detention so that the Congress Street system is not overburdened by the existing and proposed developments; the following condition is recommended:</p> <p><i>That the stormwater system for the Congress Street Hospital Entrance shall add detention capacity in lieu of stormwater separation in order to reduce the burden of the existing & proposed development on the City's infrastructure. As part of the site plan application for the Congress Street Hospital Entrance the applicant shall set out the strategy and associated proposals for achieving additional detention or for contributions to other measures that achieve the same objective.</i></p>
<p>(k) Construction management</p> <ol style="list-style-type: none"> 1. At the time of site plan review, MMC shall submit a Construction Management Plan substantially in accordance with those construction management principles identified in the approved Institutional Development Plan for review and approval by the Planning Authority. 2. The Construction Management Plan shall include a construction schedule, as well as strategies for managing neighborhood communication and noise, air quality, traffic, and parking impacts associated with the construction as set forth on the Construction Management Template developed by the City and attached and incorporated to the IDP as Appendix A 	<p>As discussed at both of the PB Workshops, the <i>Turner CMP</i> and the associated <i>Detours</i> (see <i>Hearing Plan Set A CMP</i>) have been discussed with City representatives since January and broadly take account of City concerns. The <i>Detour Presentation v 5</i> outlines how the detour routes were developed.</p> <p>The <i>Outline Lead In Schedule</i> for the closure of Congress Street has been submitted (<i>Hearing Plans A CMP</i>) along with an associated <i>Communications Plan</i> and proposals for <i>Weymouth Street repairs</i> for the detour traffic.</p>	<p>The discussions have been constructive and the proposed conditions of approval generally address the following detailed concerns or document key items as summarized below:</p> <ul style="list-style-type: none"> • Some of the detailed proposals have not been fully set out in the submissions or only recently submitted, so the first suggested condition identifies the key aspects of the CMP/Detour proposals that still need to be finalized. • The second potential condition confirms that the responsibilities lie with MMC and their contractors; • The third condition stresses the importance of establishing a clear communications plan so that neighbors and others impacted by the project are fully informed with impacts minimized as far as possible; • The last condition identifies the anticipated schedule and penalties for delay as based on the Kleinfelder Peer Review and the Police Department concerns that the Congress Street closure extends to just before the July 4th holiday and that the impacts of any delay would be substantial (both under Report Attachments).
<p>(l) Other requirements</p> <ol style="list-style-type: none"> 1. Helipad. MMC shall be governed by the provisions of the Helistop Overlay Zone with the following exceptions: <ol style="list-style-type: none"> a. Setback requirements of Section 14-327(3); and b. Fencing requirements of Section 14-327(4). 	<p>The applicant submitted a Sound Study (XX), further comments on 1-31-18 and a Response with data analysis (<i>WS S-6c Heiliport Comment Response</i> under Second Wroskhop set).</p> <p>(The FAA applications were also submitted - see Site Plan discussion)</p>	<p>Staff recommend that a framework be developed to confirm the predicted sound impacts and provide a back up mechanism if they are not accurate. The following condition is recommended:</p> <p><i>That within 9 months of the date of this site plan approval the applicant shall submit a "Sound Measurement Plan" for review and approval by the Planning Authority, for assessing the actual changes in sound impacts on nearby properties between the helipad operating at the existing site and at the new location, including criteria for mitigation where such impacts are severe based on appropriate national standards. The "Sound Measurement Plan" is required in the event that the predicted sound levels are incorrect, and it shall be approved and implemented at least 2 months before the helipad is relocated</i></p>

XI. SITE PLAN REVIEW

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

Transportation Standards

- a. *Impact on Surrounding Street Systems, Site Access and Circulation and Loading and Servicing*
The impacts are just during construction and have been addressed in the Construction Management Plan and Detour Plans as outlined under Zoning above.
- b. *Sidewalks* There are four ramps associated with crosswalks at the East tower that do not meet current standards, and the applicant is requested to replace those in a suggested condition of approval.
- c. *Public Transit Access*- the proposals do not trigger this standard.
- d. *Location and number of parking spaces*- see comments above under Zoning
- e. *Location and number of bicycle parking*
The Transportation Program Manager has commented that the number, detailed location and design of the bike parking near the East Tower has not been documented (*Attachment 12*) and that the design of the racks currently does not meet the City's Technical Standards. The applicant has submitted responses to this issue (most recently in *Hearing submittal WS S14*), but has not addressed the detailed location of the racks in relation to the East Tower nor the design of the racks. Staff recommend the following condition:
That the applicant shall submit an assessment of the existing bicycle parking near the East Tower to confirm whether it meets the City's Technical Standards for the location, number and design of bicycle parking to serve the East Tower as expanded, and add to/relocate or replace bicycle parking as necessary to meet the standards prior to the issuance of a certificate of occupancy for the East Tower.
- f. *Transportation Demand Management* - this is a Site Plan requirement for the East Tower- see the discussion above under Zoning.
- g. *Construction Management Plan*- see discussion under Zoning above.

Environmental Quality Standards

- a. *Preservation of Significant Natural Features and Landscaping and Landscape Preservation* – not applicable to the proposal.
- b. *Water Quality/Storm Water Management/Erosion Control*
The Site Plan standards apply to this development and in general it is expected that when a site plan is under review the site should meet current standards. The ordinance includes the following:
14-546 (b) (3) Env. Quality Standards "All development must demonstrate that the proposed site improvements are designed to minimize the amount of stormwater leaving the site"; 14-526 (c) (1) Consistency with City Master Plans "All developments shall be designed so as to be consistent with City Council approved master plans and facilities plans and with off-premises infrastructure, including...sewer and stormwater.

As mentioned above under Zoning, the City's combined system along Congress street is already overburdened and the applicant is requested to pursue further stormwater separation or detention. A suggested condition is outlined under Zoning.

Public Infrastructure and Community Safety Standards

- a. *Consistency with Related Master Plans* - see above re Stormwater
- b. *Public Safety and Fire Prevention* – see the Design Review Memo (*Attachment 18*) which highlights a possible area where further action could be taken in the interim to reduce potential crime. The suggested condition of approval integrates the issue of CPTED with a longer term plan for pedestrian networks on the expanded campus.
- c. *Availability and Capacity of Public Utilities* – Letters in respect of CMP and Water capacity have been submitted, and the Wastewater capacity letter is outstanding.

Site Design Standards - these are covered by the Zoning with the exception of the streetlights. The current street lights do not have high level lamp fixtures (see Transportation Program Manager comments in *Attachment 12*) and a suggested condition of approval requires that the four in front of the visitors garage be upgraded in view of the increased level of activity in this corridor.

XII. STAFF RECOMMENDATION

Subject to the proposed motion and conditions of approval listed below, Planning Division staff recommends that the planning board approve the proposed MMC East Tower and Visitor Garage Vertical Expansion and Relocation of Helipad.

XIII. PROPOSED MOTIONS FOR THE BOARD TO CONSIDER

A. 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 March 27, 2018 for application 2017-289 (Mmc East Tower And Visitors Garagage Overbuild And Relocated Helipad at 22 Bramhall Street) 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 and the MMC IOZ Regulatory Framework, subject to the following conditions of approval:

- i. That the documentation of the land transfers and street acceptances associated with the sites shall be completed prior to the Certificate of Occupancy;
- ii. That the applicant shall submit evidence from the FAA that the location and height of the construction equipment, the overbuild heights, and helipad relocation is acceptable prior to the Certificate of Occupancy for the approved overbuild floor area, or the operation of equipment and helipad;
- iii. That within 9 months of the date of this site plan approval the applicant shall submit a "*Sound Measurement Plan*" for review and approval by the Planning Authority, for assessing the actual changes in sound impacts on nearby properties between the helipad operating at the existing site and at the new location, including criteria for mitigation where such impacts are severe based on appropriate national standards. The "*Sound Measurement Plan*" is required in the event that the predicted sound levels are incorrect, and it shall be approved and implemented at least 2 months before the helipad is relocated;
- iv. That the applicant shall undertake all construction associated with this site plan in accordance with the Turner CMP dated March 21, 2018 and Detour Plan (MOT) dated March 21, 2018 unless agreed in writing with Planning Authority, including:
 - a. Provision of alternative parking for any parking displaced by the construction either on or off the MCC campus; and
 - b. Coordination with the Seadogs and other event organizers, and with METRO, to ensure safety of all users; and
 - c. Incorporate ongoing monitoring and adjustments in consultation with city representatives; and
 - d. That the Park and Weymouth signal shall meet MUTCD requirements and include pedestrian accommodations, ADA compliance and have full vehicle detection; and
 - e. Minor ROW adjustments such as curb radii at Boynton/Forest Streets, ADA ramps and bus stop pads; and
 - f. Repairs to Weymouth Street prior to/after the detour as agreed with the Department of Public Works.
- v. That the applicant is solely responsible for all activities (physical modification to the ROW, monitoring, revisions to the CMP etc) associated with CMP/detour plans referred to in condition iv. above;
- vi. That the applicant shall take steps as necessary to minimize construction impacts on neighbors, including businesses, in the vicinity of the project, and implement the Communications Plan generally as outlined;
- vii. That the applicant shall comply with the submitted Construction Schedule which notes a Congress Street closure between Monday May 7th to Thursday, June 28th 2018 inclusive. This closure period is dependent upon 1) the City of Portland issuing building permits in a timely manner and 2) the absence of other events beyond the control of the applicant ("force majeure"), including, without limitation, acts of God, war, fire, flood, acts of a sovereign nation or any state or political subdivision or any department or regulatory agency. Unless otherwise justified by 1) or 2) above, if Congress Street is not open to through traffic and pedestrian access on June 29th, the Planning Board recommends that penalties of \$10,000/day should apply for each day of delay;

- viii. That the stormwater system for the Congress Street Hospital Entrance shall add detention capacity in lieu of stormwater separation in order to reduce the burden of the existing and proposed development on the City's infrastructure. As part of the site plan application for the Congress Street Hospital Entrance the applicant shall set out the strategy and associated proposals for achieving additional detention or for contributions to other measures that achieve the same objective;
- ix. That the applicant shall finalize a TDM Plan that addresses the Regulatory Framework and Site Plan requirements, for review and approval by the Planning Board prior to the issuance of a Certificate of Occupancy for the East Tower;
- x. That the applicant shall develop a long term public Pedestrian Network Plan (both on and off the ROW) showing the integration of the upper level MMC campus with the Congress Street corridor, including measures to address CPTED principles, for implementation when the retail space beneath the Visitors Garage is available for lease or sale; such plan to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit for the Congress Street Hospital Entrance;
- xi. That the applicant shall implement the following upgrades in the ROW prior to the issuance of a Certificate of Occupancy:
 - a. Update the four (4) pedestrian light fixtures along the Congress Street frontage of the Visitors Garage to LED, and for each add the bracket and LED light fixture at the top of the existing poles.
 - b. Install ADA pedestrian ramps at 4 locations where there are crosswalks near the East Tower.
- xii. That the applicant shall submit an assessment of the existing bicycle parking near the East Tower to confirm whether it meets the City's Technical Standards for the location, number and design of bicycle parking to serve the East Tower as expanded, and add to/relocate or replace bicycle parking as necessary to meet the standards prior to the issuance of a Certificate of Occupancy for the East Tower;
- xiii. That the final parking layout of the Visitors Garage shall meet the City's Technical Manual Standards and all applicable State and Federal standards regarding handicap accessibility;
- xiv. That the applicant shall submit the ability to serve letter regarding wastewater prior to the issuance of a building permit for the East Tower overbuild;
- xv. That any new signage relating to the East Tower or Visitors Garage shall be subject to separate site plan review in the context of the Regulatory Framework and IDP Design Standards by the Planning Authority prior to installation.

[Attachments next page]

ATTACHMENTS

Folder – First Workshop- January 23, 2018

MMC (Memo)

MMC (Applicants Submittal)

WS - 1 Cover Letter
WS A Application Form
WS A -1 East Tower Data Sheet
WS A -2 Visitor Garage Data Sheet
WS B Right Title Interest
WS C State and Federal Approvals
WS D Zoning Assessment
WS E Easements
WS G Financial and Technical Ability
WS H - Boundary Survey
WS I - 3 CM Plan January 18
WS J Traffic Study
WS M City Master Plans
WS N Utilities
WS O Solid Waste
WS Q - 1 Design Review Update January 18
WS S - 2 Bicycle Parking
WS S - 3 East Tower Code Report
WS S - 4 Visitor Garage Code Report
WS S - 5 Heliport FAA Submittal
WS S - 6 Heliport Noise Study
WS S - 7 TDM Plan
WS S - 8 Parking Demand Study
WS S - 9B CM East Tower MOT January 18
WS S-10 Project Description

MMC (Site Plans)

Plan 1 Boundary Survey (8 sheets)
Plan 2I Recording Plan
Plan 2J Recording Plan
Plan 5 Site Plan
Plan 10A Visitor Garage Lighting Plan
Plan 10B Heliport Lighting Plan
Plan 11 Signage Plan
Plan 13 Shadow Analysis
Plan 14A East Tower Level 6 Floor Plan
Plan 14B East Tower Level 7 Floor Plan
Plan 14C East Tower East Elevation Janua...
Plan 14D East Tower North Elevation Jan...
Plan 14E East Tower West Elevation Janu...
Plan 14F East Tower South Elevation Janu...
Plan 14G Visitor Garage Level P8 Floor Pl...
Plan 14H Visitor Garage Level p8 Floor Pl...
Plan 14I Visitor Garage Level P10 Floor Pl...
Plan 14J Visitor Garage Level P11 Floor Pl...
Plan 14K Visitor Garage East Elevation Ja...
Plan 14L Visitor Garage North Elevation J...
Plan 14M Visitor Garage West Elevation J...
Plan 14N Visitor Garage South Elevation J...
WS Q - 1 Design Review incl renderings1....

Folder – Second Workshop- February 27, 2018

MMC (Memo)

MMC (Applicants Submittal)

WS - 7A TDM Plan Update February 13
WS - S- 6A Heliport Memo January 31
WS A-3 Neighborhood Meeting Info February 21
WS L Stormwater Management Plan
WS L-1 2004 Stormwater Management Plan
WS L-2 2004 Watershed Plans
WS N-1 Wastewater Capacity Request
WS N-2 CMP Ability to Serve
WS Q - 1 Design Review Update January 18
WS Q - 2 Design Review Update February 23
WS S - 12 Site Lighting Narrative
WS S-6B Heliport FAA Application February 8
WS S-6C Heliport Comment Responses 2.23.18
WSL - 3 Stormwater Comment Responses 2.21 (1)

MMC (Plans)

CMP/Detours

GP Traffic Analysis 2.14.18
WS I - 5 CM Plan February 13

Plans

Plan 2K Boundary Survey February 21
PLAN 14O ET Elevations February 22
Plan 14P VG Elevations February 22

Public Hearing Attachments – March 27, 2018

1. Initial Traffic Comments
2. Fire Department Comments on CMP
3. Preliminary Design Review Comments

4. MMC Institutional Development Plan (IDP) as approved by PB
5. MMC IOZ Regulatory Framework (Ordinance 14-282) as adopted by CC
6. "Check In" meeting notes through Feb 15, 2018
7. Extract from Site Plan Ordinance regarding stormwater and sewer infrastructure
8. City comments on submitted TDM
9. Peer Engineer Review comments 1.25.18 and 2.7.18
10. Design E-mail re further info requested
11. Fire Department comments
12. Transportation Program Manager re bike parking, lighting and ADA access in ROW
13. Police Department re CMP and Detours
14. DPW re CMP/Detours and Drainage Infrastructure
15. Staff clarification re relocated helipad sound analysis
16. Kleinfelder third party review of "constructability" and closure of Congress Street
17. Peer Engineer Review comments 3.21.18
18. Urban Design final Review comments 2.16.18
19. Updated Check In Meeting notes

Public Comments

PC-1 Pringle 1.23.18

PC-2 Beaver 2.27.18

HEARING APPLICANTS SUBMITTAL (numbering as per applicant)

WS L - 4 Stormwater Comment Response Letter

WS N - 3 PWD Ability to Serve

WS Q - 3 Design Review Update 3.22.18

WS S - 6D FAA Submissions 3.22.18

WS S - 13 PB Workshop Presentation 2.27.18

WS S - 14 Bike Parking

WS S - 14 Maine Biz Article 3.5.18

HEARING PLANS

A- CMP/Detours

- a. Detours Presentation v5
- b. MFP Communications Strategy
- c. WS 1 - 6 CM Plan 3.21.18
- d. WS S - 9E MOT Update 3.21.18
- e. Congress Street Closure Implementation Schedule 3.12.18
- f. WS S - 15A Weymouth St. Repairs
- g. Example of letter to Neighbors
- h. Combined submittal (repeats most of above)

B- Other

- a. Revised Elevations Visitor Parking Garage
- b. View of East Tower from I295