



Memorandum

Planning and Urban Development Department

Planning Division

To: Sean Dundon, Chair and Members of the Portland Planning Board
From: Shukria Wiar, Planner
Date: June 22, 2018
Re: Five-Unit Condominium, 24 St. Lawrence Street, Kelly and Walter Williams
Project #: 2017-242 CBL: 016 J006001
Meeting Date: June 26, 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. The Board held a workshop on this item on March 27, 2018 and requested a second workshop to address their concerns.



Figure 1: Aerial of the Proposed Site

The Planning Board members at the March 27, 2018 workshop noted there were a number of design and site infrastructure concerns with the project and requested a second workshop. Listed below are the changes that applicant proposes to address the Board and staff comments:

- **Site Design:** The Planning Board and staff sought to have the driveway on the side of the lot instead at the middle, to continue the historical rhythm of house driveway house. **The project was revised with the garage access on the downhill side of the site.** This structure was reduced in width to accommodate the drives, thus reducing the scale impact of the three-story building.

Staff Comments: The applicant is now proposing the driveway to be at the southern side; therefore, the garage is no longer at center of the building façade. The garage door is now tucked away at the side of the building. Vehicles will enter the site through a 10-foot driveway, which is sloped down into a lower level garage on the side. The number of the parking spaces has not changed and is still five spaces. Staff has reviewed the revised plans and finds them acceptable.

- **Exterior Design:** The Board recommended that the applicant revise the design details i.e. changing of scale and mass of the proposed building, as well as the material. Below are some of the major changes to the proposal:

- The revised design was brought down in height from four stories (above the grade plane) to three stories. This was accomplished by locating the garage level down into the site. The overall height has been reduced from approximately 45' to 38' (which is close to the ridgeline of the existing house, see Elevations).
- The original design had the access to the garage level (via the overhead door) directly on the front (St. Lawrence street) facade. The revised access is on the downhill side of the site and the overhead door has been relocated.
- By having three stories above the grade plane, only one stair is required (in lieu of two required stairs in the previous design). Since this circulation is no longer required, more living space is able to be located on this street side. This design now follows a typical 3-bay composition.
- This neighborhood has developed a rhythm of "building/driveway/building/driveway". With the relocation of the driveway to the downhill side, this rhythm can be maintained.
- Since the garage level in this design has been lowered, the living space on the first level is now 4'-3" above the street level. This allows for a greater connection to the street, while still providing privacy for its occupants.
- The square windows in the stair towers have been removed. Windows with a more vertical, traditional proportion are used.

Staff Comments: The proposed building has been reduced in scale and mass. The garage entrance has been removed and now is located on the side of the building. Caitlin Cameron, Urban Designer, reviewed the changes and finds them acceptable, [Attachment 3](#).

- Retaining walls on the Site: There were a great deal of concern from the abutters regarding the retaining walls at the rear of the property. A geotechnical analysis report has been submitted for review.

Staff Comments: Lauren Swett, Consultant Engineer has reviewed the geotechnical report that applicant has provided and states that:

I have reviewed the geotechnical evaluation provided for 24 St. Lawrence. I have no issues with what has been provided, pending their final foundation design and construction practices following what is described in the report, the project shouldn't cause any problems.

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 June 18th and 19th, 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

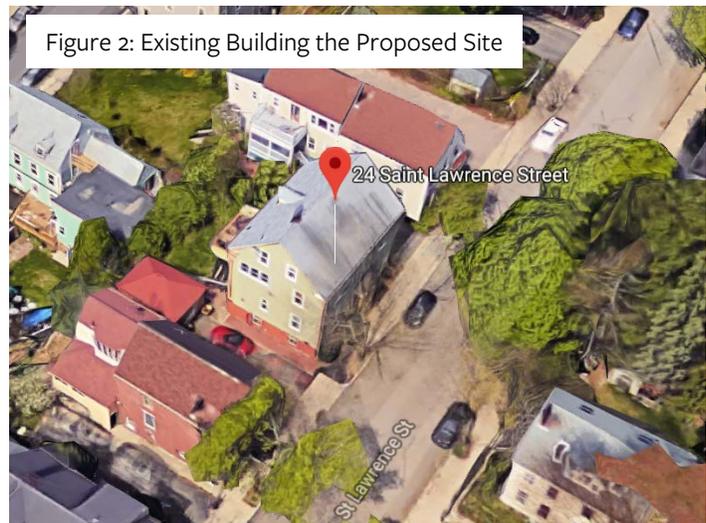
Existing Zoning	Residential R-6
Existing Use	Residential – Two Family
Proposed Use	Residential
Proposed Development Program	5 residential units
- Bedroom Mix	4 two-bedroom units, 1 three-bedroom units
Parcel Size	4,671 SF
Proposed Parking	5 spaces

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	1,526 SF	2,790 SF	1,264 SF
Building Floor Area	4,038 SF	7,424 SF	3,386 SF
Impervious Surface Area	2,872 SF	3,230 SF	358 SF
Parking Spaces (on site)	2	4 (2 required)	3
- handicapped	0	1	1
Bicycle Parking Spaces	0	4 internal	4
Estimated Cost of Project	\$2.4 Million		

III. BACKGROUND AND EXISTING CONDITIONS

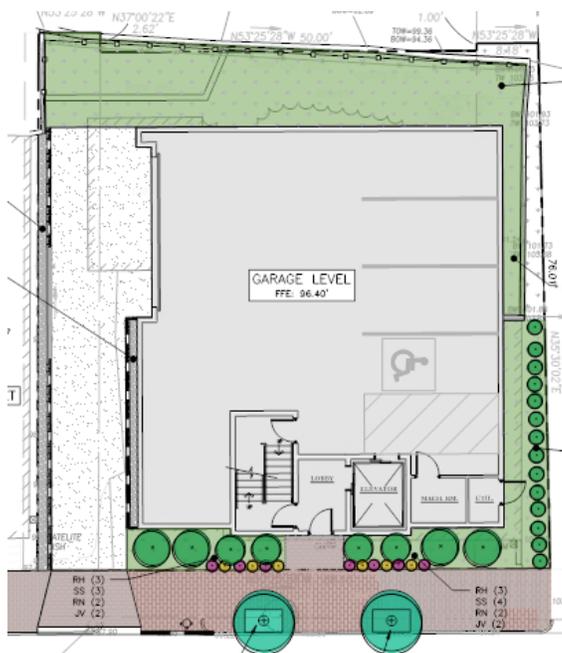
24 St. Lawrence Street is located on the west side of St. Lawrence Street on Munjoy Hill and is surrounded by residential uses, including both single and multi-family homes. The property is currently developed with a two and half stories, two-family house and a paved surface parking. The existing driveway 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.



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 now has one stair tower and an elevator at the front of the building. The second stair tower is not required any longer by international building code because the building is at three stories now. The building height is now 38 feet with 2,790 SF footprint. The scale of the apartment building is more in balance the residential uses of the street and neighborhood.

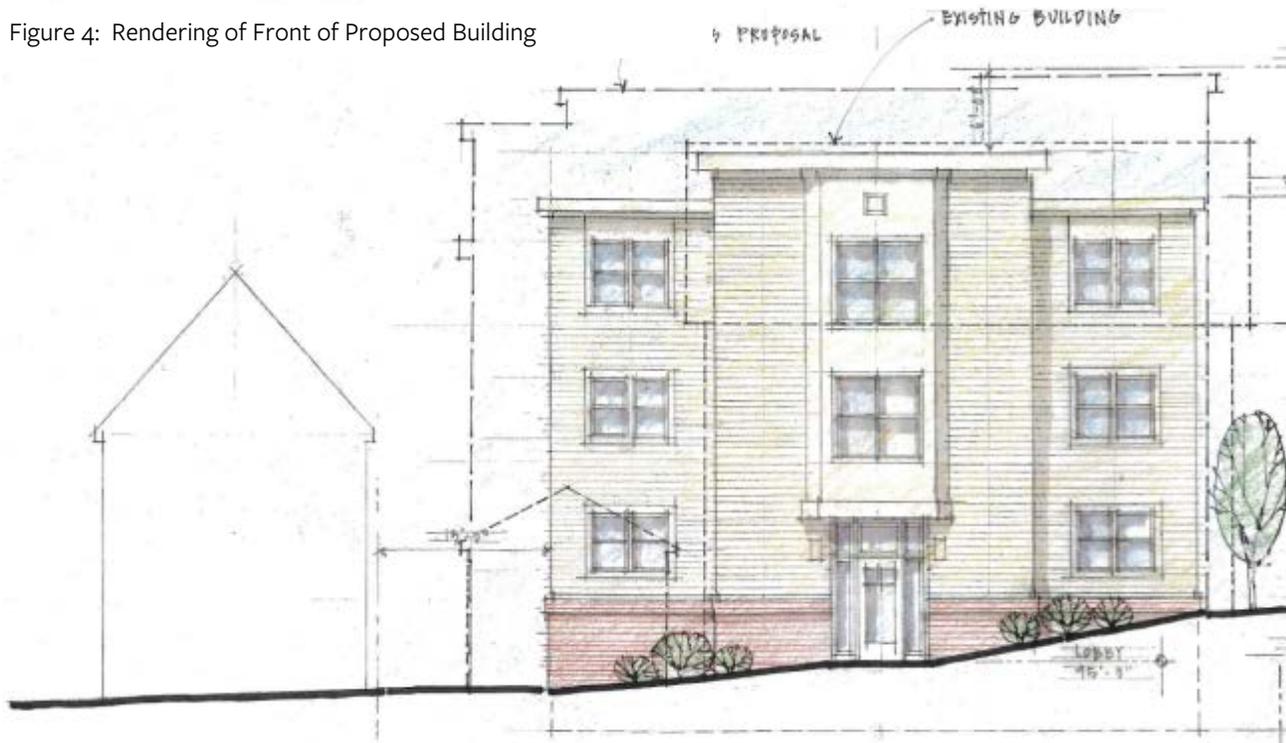


All five of the units will share access via a common entrance on St. Lawrence Street. Vehicular circulation is no longer centrally located on the site but rather accessed from the side driveway from St. Lawrence Street. Parking for each unit will be located underneath the new building. The R-6 zone does not require parking spaces for the first three units. However, the applicant is now proposing five parking spaces (has reduced it by one parking space). 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 is a rendering of the proposed building.

Figure 4: Rendering of Front of Proposed Building



V. PUBLIC COMMENT

For the first workshop, there were fourteen individuals, some of which have submitted multiple written comments for a total of 23 public comments. 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 PC20. Additional public comments have been received which is included in the packet. Concerns raised include the scale of the building and its impact on neighboring buildings.

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. A second meeting was held on June 21, 2018 to discuss the changes to the project.

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 three-story five-unit apartment building. The property is located in the R-6 Residential Zone. The proposed five residential units are permitted and meet the density requirements in the Residential R-6 zone. The height of the building is now 38 feet, the maximum building height is 45 feet. 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 five 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. 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 3/4-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 now proposes the removal of the existing driveway and replacing with a 10-foot driveway at the southern side of the lot. The proposed entrance will lead into the proposed 20-foot wide parking garage entrance. One curb cut is proposed at this entrance, basically near the existing curb cut. A fire hydrant and utility pole have to be relocated. 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 revised 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 five 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.

2. 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. Lauren Swett, Consultant Engineer has reviewed the geotechnical report that applicant has provided and states that:

I have reviewed the geotechnical evaluation provided for 24 St. Lawrence. I have no issues with what has been provided, pending their final foundation design and construction practices following what is described in the report, the project shouldn't cause any problems.

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 Swett, Consultant Engineer has reviewed the stormwater information and states all of the prior comments have been addressed.

3. *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. Since there is a 10-foot driveway between the proposed building and the existing abutting home at 20 St. Lawrence Street, the required separation of 10 feet between buildings per the Fire Department has been met.

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.

4. *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. A lighting and photometric plan needs to be submitted for review.

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. The 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.

a. Zoning Related Design Standards

A design review according to the City of Portland Design Manual Standards was performed for the revised design of 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 3. The proposed design passes all of the criteria of the R6 Alternate Design Review.

VII. NEXT STEP

- Incorporate Planning Board comments in the final plan.
- Proceed to final plan and public hearing

IV. ATTACHMENTS

Staff Review Comments

1. Traffic Engineering Review (Tom Errico, TY Lin), comments dated 02.09.2018
2. Civic Engineer Review, Lauren Swett, dated 06.21.2018
3. Urban Designer Review, Caitlin Cameron, dated 06.05.2018
4. Fire Department Review, Capt. Mike Thompson, dated 06.22.2018

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 06.22.2018
- PC 14. Rob Whitten 1-8-18
Rob Whitten 11-20-17
Rob Whitten 3-13-18
- PC.15 Carol Stillwell 4-30-18
- PC.16 Kris Lape 3-28-18
- PC.17 Martica Sawin 4-4-18
- PC.18 Matt Dodge 3-27-18
- PC.19 Karen Snyder 6-22-2018
- PC.20 Peter Murray 6-22-2018
- PC21 Martica Sawin 6-22-18
- PC22 Maggie Wolf 6-21-18

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
- W. Geotechnical Report
- X. Architectural Design Review Response

Plans

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

Plan6	Landscaping Plan
Plan7	Utility Plan
Plan8	Grading & Drainage Plan
Plan9	Site Details 1
Plan10	Site Details 2
Plan11	Utility Details 1
Plan12	Utility Details 2
Plan13	Drainage Details
Plan14	Erosion & Sedimentation Control Details
Plan15	Subdivision Recording Plat
Plan16	Ground Floor of Redesigned Building
Plan17	Floors 1 & 2 of Redesigned Building
Plan18	Floor 3 of Redesigned Building
Plan19	Elevations of Redesigned Building
Plan20	Rendering of Redesigned Building