



# PLANNING BOARD REPORT PORTLAND, MAINE

Conversion of existing school building into 8 residential units  
(Reed School Phase 2)  
19 Libby Street

Level III, Conditional Use, Subdivision and Site Plan  
Project # PLO00206-2018  
CBL: 338 Koo4001  
Reed School, LLC, Applicant

Submitted to Portland Planning Board  
Public Hearing Date: September 25<sup>th</sup>, 2018

Prepared by: Jean Fraser  
Date: September 21<sup>st</sup>, 2018

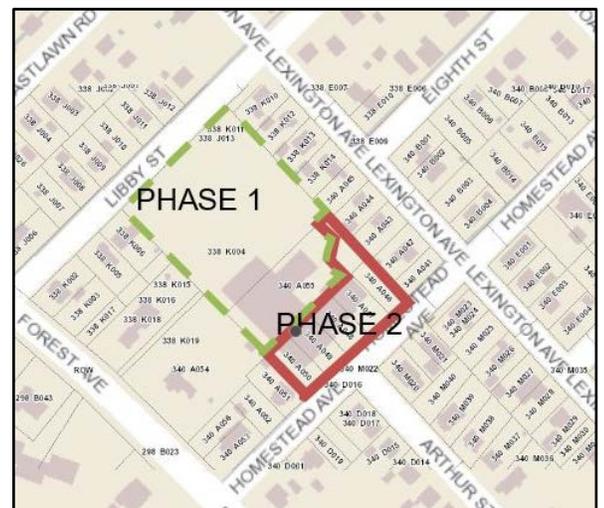
## I. INTRODUCTION

Reed School, LLC, represented by Walsh Engineering (Thomas Greer), is requesting Planning Board approval to a Level III Conditional Use, Subdivision and Site Plan proposal for the Phase 2 reuse of this site. The proposals comprise the conversion of the former Reed School main building (13,908 sf floor area) into 8 one-bedroom dwelling units, and associated improvements, located at 19 Libby Street and fronting onto Homestead Avenue. The site was the subject to public consultations and a City RFP in 2016, and via that process was sold to the Developer's Collaborative in 2017. It is located in the R-3 Zone.

Phase 1 of the project was subject to a Level I Site Plan Alteration application to remove a 1951 small rear addition and add parking and stormwater treatment to the Phase 1 area. This allowed for the 1950 single story building at the rear to be reused by a private school, *The Children's Odyssey*. Those improvements have been completed and the school opened recently.

The Phase 2 part of the project was anticipated in the earlier site plan review, and the approval includes several conditions that apply to the Phase 2 project (see Level I Site Alteration Approval letter in [Attachment A](#)). These focus on the sidewalk and access from Homestead, and on the boundary treatment.

The Phase 2 project is before the Planning Board as the conversion of the institutional use to a residential use in the R3 zone requires conditional use approval, and the creation of the 8 units constitutes a subdivision that requires Planning Board review.



**Applicant:** Reed School, LLC  
**Consultants:** Engineer: Walsh Engineering  
Associates Inc (Thomas S Greer, PE)  
Architects: Archetype



*Phase 2 site as viewed from Homestead Avenue:*

**Required Reviews and Waivers:**

| <i>Review</i>   | <i>Applicable Standards</i>  |
|---|--|
| <b>R3 Conditional Use:</b> Alteration of a structure existing and not in residential use as of January 1, 1984 (Reed School), to three (3) or more dwelling units | <i>Section 14-88 (a) 3 Residential conditional Uses</i>  |
| <b>Subdivision:</b> Conversion of existing Reed School main building into 8 residential dwelling units  | <i>Section 14-497</i> for the creation of 8 units.   |
| <b>Site Plan:</b> Multifamily development   | <i>Section 14-526</i> for the proposed multifamily residential development comprising 8 units. |

**II. PROJECT DATA**

| <i>SUBJECT</i>                      | <i>DATA</i>   |
|-------------------------------------|---|
| Existing Zoning                     | R3  |
| Existing Use                        | Vacant school building  |
| Proposed Use                        | Residential   |
| Total Area of the Site              | 2.51 acres  |
| Proposed Disturbed Area of the Site | None for this Phase 2 part of the project   |
| Impervious Surface Area - Proposed  | None for this Phase 2 part of the project   |
| Building Footprint - Existing       | Total Building 21,145 sf School Use 16,509 Residential Use 4,636 sf   |
| Building Footprint - Proposed       | Residential Use 4,636 sf  |
| Building Floor Area - Existing      | 13,908 sf   |
| Building Floor Area - Proposed      | 13,908 sf, including basement area)   |
| Number of lots proposed             | 8 (within building) within Lot 1 of the site condominium  |
| Residential Units- Existing         | 0   |
| Residential Units- Proposed         | 8 one-bedroom units   |
| Parking Spaces - Existing           | 74 were created for phase 1 and are noted to be common elements for the condominium lots, but the phase 1 use does not require all of these |
| Parking Spaces - Proposed           | 16 for this use   |
| Bicycle Parking Spaces - Existing   | 8 bike racks serving 16 bicycles are available at rear of the building included in Phase 1 site plan to address needs of all uses           |
| Bicycle Parking Spaces - Proposed   |   |

**III. EXISTING CONDITIONS**

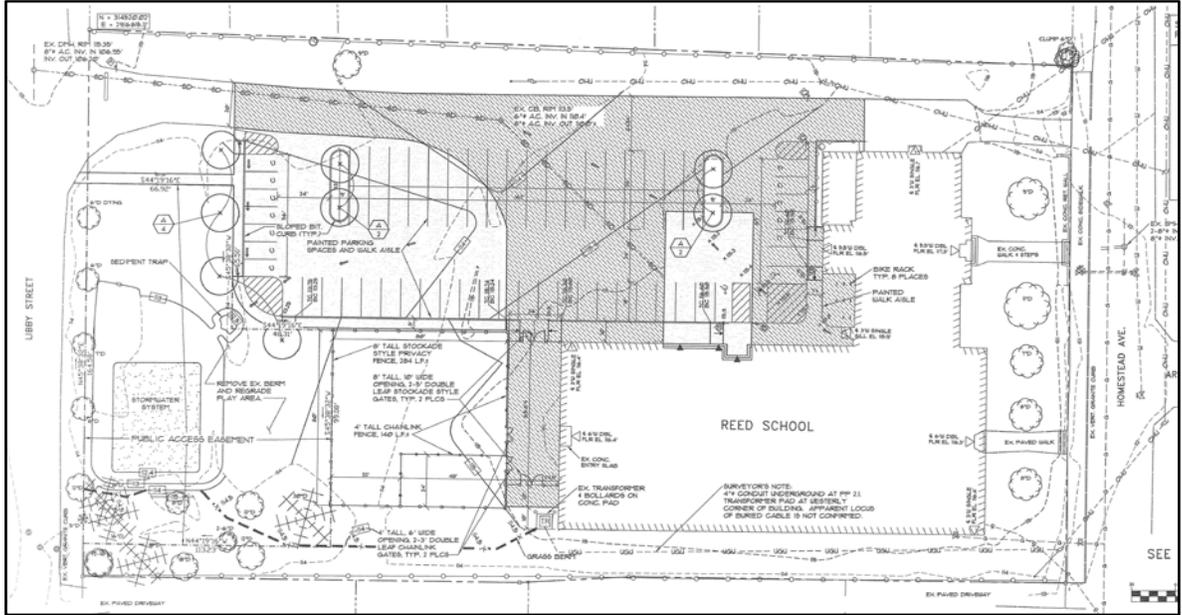
The 1926 main school building is shown right, as it faces Homestead Avenue. It is surrounded by residential on both sides of this frontage, and the area behind and abutting this building is “Phase 1” where improvements to the parking area and stormwater treatment have just been completed.

There are five existing mature trees along the frontage and the current boundary treatment for the Phase 2 area is largely chain link fencing, some rusty but some with vines and other vegetation.



The Phase 1 approved site plan is included below to provide the current context for the review of the current application.

**PREVIOUSLY APPROVED PHASE 1 SITE PLAN- ALREADY IMPLEMENTED:**

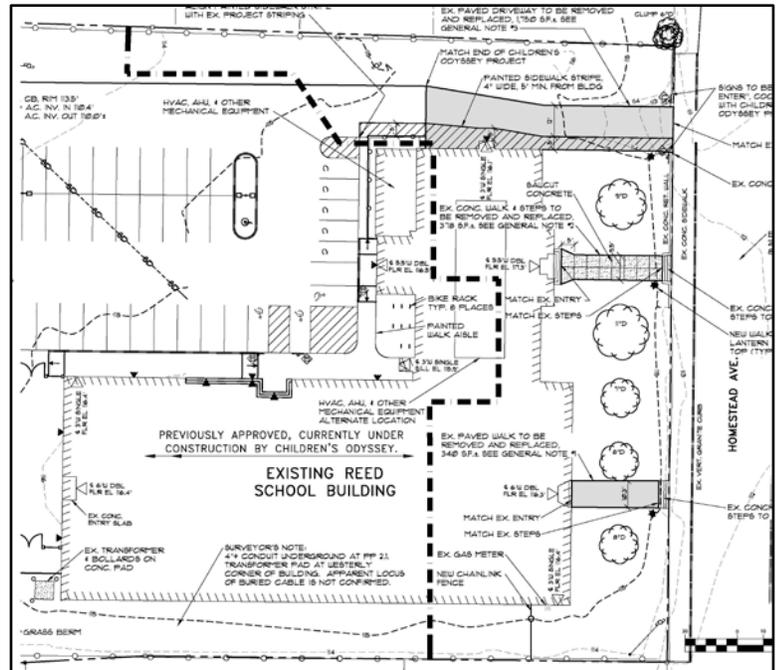


**IV. PROPOSED DEVELOPMENT**

The final proposals are shown in the Plan Set and include:

- Conversion of the existing building to 8 one-bedroom units with associate building upgrades
- Replacement of the front walkways from Homestead Avenue
- Demarcation of a pedestrian walkway along the one-way exit drive to the side of the building
- Signs to clarify the drive is one way exit from the site onto Homestead Avenue
- Additional short section of chain link fencing to side of the site (for school)
- Two building mounted lights and one pole light at front
- Removal of one tree from the approved parking lot area landscaped island.

The submissions confirm that the site work was largely completed as part of the Phase 1 improvements and the current proposals do not include any landscaping or upgrade to the boundary treatment for Phase 2.



**V. PUBLIC COMMENT**

A total of 168 notices were sent to property owners within 500 feet of the site and interested parties, and a legal ad was published in the *Portland Press Herald* on September 14<sup>th</sup> and 17<sup>th</sup>, 2018. The required Neighborhood Meeting was held on August 23, 2018 at the school and attended by 15 neighbors, excluding representatives of the applicant. The Meeting Certificate and notes are included in Attachment 22. At the time of completing this report the Planning office has not received any public comments.

**VI. RIGHT, TITLE & INTEREST AND FINANCIAL AND TECHNICAL CAPACITY**

The applicant has submitted a copy of the applicant's ownership deed and a letter dated 6.21.18 from Bangor Savings Bank (Att. 7) confirming financial capacity. The submissions were prepared by professional consultants.

## VII. STAFF REVIEW

### A. ZONING ASSESSMENT – CONDITIONAL USE REVIEW

**Conditional Use:** The R3 zoning ordinance (14-88 (a) 3) allows for a non-residential structure to be converted to residential subject to a number of conditions relating to:

- Outside stairways and fire escapes
- Restrictions on the floor to ceiling height of lower level floors
- Land area per dwelling requirement of 3000 sf
- On site parking to meet Ordinance standards
- Site Plan approval where the following additional standards would apply:
  - Any addition or exterior alterations...shall be compatible with the architectural style of the structure
  - Scale and surface area of parking, driveways and paved area shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets

A separate motion regarding the conditional use is included for the Board to consider. The proposals meet all of these conditional use standards. Regarding the additional site plan standards, the compatibility of the exterior modifications (windows and lights) have been reviewed by the Historic Preservation Program Manager Deb Andrews. She has recommended a condition of approval as the submissions do not include all of the detail required to complete the review ([Attachment C](#)).

The standard regarding the arrangement/landscaping of paved areas is of limited applicability as the Phase 2 area only includes an existing drive that will be slightly widened; the parking is at the rear and previously approved and implemented.

The provision of the required 16 parking spaces is within the parking area at rear and identified in the condominium documents, with 9 dedicated in terms of area near to the school, and the rest as part of the “common elements”. The zoning requirement for 16 spaces tied to the residential use within this parking area needs to be confirmed by a clarifying note/graphic on the final Subdivision Plat.

**Dimensional Requirements:** The submissions document ([Attachment 4](#)) that the proposal meets all of the dimensional requirements of the R3 zone in terms of frontage, setbacks and lot coverage (others not relevant because it’s an existing building and a conditional use).

### B. SUBDIVISION REVIEW (14-497(a). Review Criteria)

#### 14-496. Subdivision Plat Requirements

The applicant has submitted a draft Subdivision Plat ([Plan P3](#)) which will need revisions to add notes or a table to clarify the location and floorspace and legal status of all of the units, and to include references to the parking provision and condominium documents.

#### 14-497. General Requirements (a) Review Criteria

The proposals have generally addressed the subdivision standards, with the following items of relevance to this project:

#### ***Water Supply, Air Pollution and Soil Erosion***

The applicant has not submitted the capacity letter from the Portland Water District and this is the subject of a suggested condition.

#### ***Traffic***

There are no traffic implications associated with the proposal.

#### ***Sanitary Sewer/Soils/Stormwater***

The proposal does not have any implications for stormwater management on the site. The Wastewater capacity letter has not been received and this is the subject of a suggested condition of approval.

### ***Solid Waste Disposal***

The applicant has confirmed (Attachment 23) that solid waste storage will be inside the building and no dumpsters are required.

### ***Scenic Beauty***

The review has focused on the frontage along Homestead Avenue. While this frontage includes an attractive grassed area with 5 existing mature trees, the fencing areas at the frontage corners, where it meets existing residential properties, is unattractive - as shown in recent photographs below:



*from Homestead Ave, west end of frontage*



*from Homestead Ave, east end of frontage*

Staff recommend that the fencing and associated planting at these corners should be enhanced in order to meet this standard, and a suggested condition of approval requires the submission of a landscape plan for review and approval. This recommendation is reinforced by the site plan review, which notes that a required tree has been removed from the parking lot at the rear, and that the previous site plan approval required “*The applicant shall repair the fence along the property boundary as needed*”.

### ***Comprehensive Plan***

Staff find the proposed project compatible with the Comprehensive Plan, which includes the following applicable goals:

- “create economic prosperity by growing Portland’s tax and employment base”
- “encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods”.

### **C. SITE PLAN REVIEW (14-526 Site Plan Standards)**

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**

***Impact on Surrounding Street systems:*** Please note comments above under *Subdivision Review*.

- ***Access and Circulation:*** The general access and circulation is similar to the existing, and the creation of a one-way access drive next to the school was part of the previously approved site plan (Attachment A). The previous approval required:

*b. ...Providing a dedicated walkway from Homestead to the parking lot by either limiting vehicle access on the driveway to Homestead to emergency access only, or by providing a parallel walkway.*

The site plan (Plan P4) shows “no entry” signs where it meets Homestead Avenue to reinforce that circulation, and a 4 foot wide pedestrian walkway striped at the side. In view of the one-way nature of the driveway, staff consider

the proposal meets the condition and is acceptable.

- **Sidewalks and Pedestrian Connections:** The Department of Public works has evaluated the sidewalks along Homestead Avenue and determined that they were in good condition and do not require any repairs except that the driveway apron does not meet City Technical Standards ([Attachment B](#)). The applicant has not requested a waiver and a potential condition of approval requires that the apron be brought up to the city standards.



The DPW comments noted there is a “gap” in the sidewalk between the site and Forest Avenue, which was also noted during the Phase 1 review and conditioned with “*The City will look at the potential to complete the missing piece of sidewalk along Homestead Avenue just west of the site and asks for the applicant’s support as necessary.*” The DPW estimates that a contribution of \$1,500 would pay for completing this 45 foot section of sidewalk. The Planning Staff recommend that the applicant either complete this gap or pay the contribution. A condition of approval is provided for the Board’s consideration.

- **Public Transit Access:** The previous site plan approval requested “*The applicant shall work with staff and METRO to resolve the best locations of bus stops along Forest Avenue to serve the site.*” Staff have reviewed the location of the forest Avenue bus stops with METRO and the locations are acceptable as existing, though the most direct access (ie with a crosswalk at Forest) is via the Homestead Avenue sidewalk where the above-mentioned “gap” is located. A contribution to help achieve the completion of this section of sidewalk would help provide a better connection to the bus stops on Forest Avenue.
- **Parking -** please see comments under the discussion of the **Conditional Use** above.
- **Snow Storage:** snow storage areas do not appear to be identified on the plans, although for the Phase 2 area this is not a concern.
- **Transportation Demand Management:** this standard does not apply to this project.
- **Construction Management Plan:** The applicant has not submitted a CMP as the building is existing and there is a substantial area of open pavement to the rear that is available for construction material and access. A condition of approval is provided for the Board’s consideration.

## 2. ENVIRONMENTAL QUALITY STANDARDS

### **Landscaping and Landscape Preservation, Site and Parking Lot Landscaping**

- **Fencing/buffers:** The approval for Phase 1 included the following requirement: “*The applicant shall repair the fence along the property boundary as needed.*” The Phase 2 proposals do not include any new or repaired fencing although some of the existing fencing is rusty chain link. As discussed above under **Subdivision-Scenic Beauty**, the frontage corners on Homestead Avenue are unattractive and staff recommend upgraded fencing and/or screen planting. The suggested condition of approval is:

*That the applicant shall submit a landscape plan, for review and approval by the Planning Authority prior to the issuance of a buildig permit, for the Homestead Avenue frontage corners that includes replacement fening and/or xscreen planting to enhance the appearance of these areas.*

- **Street Trees:** The street tree requirement is 8 trees and there are 5 existing street trees. The applicant has requested to contribute to the Street Tree fund for the 3 additional street trees required to meet the site plan ordinance (Attachment 15), and this is reflected in a suggested condition for the Board to consider.
- **Water quality, Stormwater Management and Erosion Control** - see discussion under *Subdivision Review* above.

### 3. PUBLIC INFRASTRUCTURE AND COMMUNITY SAFETY STANDARDS

- **Consistency with Related Master Plans** - see discussion above regarding the repair to the sidewalk along Homestead Avenue.
- **Public Safety and Fire Prevention** : The Fire Department’s review notes that “*There are plenty of fire hydrants in the area for this project, and there are no access issues for the fire department with this project. There are no site plan concerns.*”
- **Availability and Adequate Capacity of Public Utilities**- see comments under Subdivision Review above.

### 4. Site Design Standards

- **Massing, Ventilation and wind Impact; Shadows; Snow and Ice Loading; View corridors; Historic Resources** - these standards do not apply to this project.
- **Exterior Lighting and Street Lighting**  
The proposals include two building mounted lights and a new pole light by the main walkway entrance from Homestead Avenue. The locations are noted on the plans but the specifications and photometric information has not been submitted. The design of the lighting would be part of the conditional use review (requiring review by the Historic Preservation Program Manager); a site plan condition is recommended to address the site plan technical standards regarding cut off fixtures and trespass.
- **Noise and Vibration**  
Staff requested further information regarding the installation of the heatpumps as mentioned at the neighborhood meeting. The Response letter (Attachment 23) clarifies the HVAC locations, but further information is required to determine if these meet the site plan standard requiring that they “*b) Be screened from view from any public street and from adjacent sites by structure walls, evergreen landscaping, fencing, masonry wall or a combination thereof.*”
- **Signage and Wayfinding** - this standard does not apply to the proposals.
- **Zoning-Related Design Standards:** there are no specific design standards for this zone.
- **Multi-family and Other Housing Types Design Standards**  
The design standards that apply to all multifamily development apply to this proposal.

**(i) TWO-FAMILY, SPECIAL NEEDS INDEPENDENT LIVING UNITS, MULTIPLE-FAMILY, LODGING HOUSES, BED AND BREAKFASTS, AND EMERGENCY SHELTERS:**

*(1) STANDARDS. Two-family, special needs independent living units, multiple-family, lodging houses, bed and breakfasts, and emergency shelters shall meet the following standards:*

*a. Proposed structures and related site improvements shall meet the following standards:*

1. *The exterior design of the proposed structures, including architectural style, facade materials, roof pitch, building form and height, window pattern and spacing, porches and entryways, cornerboard and trim details, and facade variation in projecting or recessed building elements, shall be designed to complement and enhance the nearest residential neighborhood. The design of exterior facades shall provide positive visual interest by incorporating appropriate architectural elements;*

- 2. The proposed development shall respect the existing relationship of buildings to public streets. New development shall be integrated with the existing city fabric and streetscape including building placement, landscaping, lawn areas, porch and entrance areas, fencing, and other streetscape elements;*

**Staff comment:** The proposals are located within an existing building and any external changes to the former school are being reviewed by the Historic Preservation Program Manager.

- 3. Open space on the site for all two-family, special needs independent living unit, bed and breakfast and multiple-family development shall be integrated into the development site. Such open space in a special needs independent living unit or a multiple-family development shall be designed to complement and enhance the building form and development proposed on the site. Open space functions may include but are not limited to buffers and screening from streets and neighboring properties, yard space for residents, play areas, and planting strips along the perimeter of proposed buildings;*

**Staff comment:** The grassed frontage area will remain as lawn with existing mature trees, and provides a substantial open space amenity area for residents.

- 4. The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principal living areas and shall also provide sufficient storage areas;*

**Staff comment:** The window sizes are determined by the existing building.

- 5. The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets;*

**Staff comment:** These areas are to the rear of the building within the already-approved Phase 1 area.

## VIII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the proposed conversion of the Reed School main building into 8 residential units along with the small scale site improvements at 19 Libby Street (fronting onto Homestead Avenue).

## IX. PROPOSED MOTIONS

### A. CONDITIONAL USE APPROVAL

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 September 25, 2018 for application PLO00206-2018 (19 Libby Street) relevant to Portland's Zoning ordinance section 14-88(a) and the testimony presented at the Planning Board hearing:

The Planning Board finds that the plan **is/is not** in conformance with the conditional use standards of the Land use Code, subject to the following conditions (s) of approval:

Prior to the issuance of the Building Permit

1. That the applicant shall provide final window specifications and the specifications for the proposed building-mounted light fixtures to the Historic Preservation Program Manager for review and approval.
2. That the subdivision Plat document, to the satisfaction of Corporation Counsel, that the zoning requirement for 16 parking spaces for the 8 residential units subject of this approval, is met through an explicit provision on the site.

## B. SUBDIVISION

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 September 25, 2018 for application PL000206-2018 (19 Libby Street) relevant to the subdivision regulations; and the testimony presented at the Planning Board hearing:

The Planning Board finds that the plan **is/is not** in conformance with the subdivision standards of the land use code and **approves/does not approve** the application, subject to the following conditions of approval, which must be met prior to the signing of the plat:

1. The applicant shall submit a final subdivision plat for review and approval by Corporation Counsel, the Department of Public Works, and the Planning Authority, that includes but is not limited to: clarification of the legal status, size and location of all units; parking provision to meet the zoning requirements; and reference to condominium documents and other agreements that clarify the maintenance responsibilities for snow clearing and landscape maintenance.
2. If some or all of the units are to be condominiums, the Condominium Association documents shall be submitted for review and approval by Corporation Counsel and Planning Authority and clarify rights and responsibilities for access, use and maintenance including snow storage and snow clearance from the sidewalks.

## C. SITE PLAN

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board report for the public hearing on September 25, 2018 for application PL000206-2018 (19 Libby Street) relevant to the Site Plan Ordinance and other 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, subject to the following conditions:

### Prior to the submission of the Building Permit application

1. The applicant shall submit a landscape plan, for review and approval by the Planning Authority for the Homestead Avenue frontage corners that includes replacement fencing and/or planting to screen and enhance the appearance of these areas.

### Prior to the issuance of a Building Permit

2. That the lighting specifications and associated photometric information shall be submitted for review and approval by the Planning Authority, to meet the standards set out in the City's Technical Manual for Site Lighting.
3. That the final detailed location of any HVAC and mechanical equipment along with any proposed screening be submitted for review and approval by the Planning Authority to confirm the installation is in compliance with the Site Plan standard for Noise and Vibration.
4. That the Wastewater and Water capacity letters shall be submitted.
5. The applicant shall submit a Construction Management Plan for review and approval by the Planning Authority and the Department of Public Works.

6. The applicant shall submit a sidewalk plan for review and approval by the Department of Public Works and install a 45 foot section of sidewalk along Homestead Avenue or submit a \$1,500 contribution to the City to complete this sidewalk section.

Prior to the issuance of a Certificate of Occupancy

7. That the applicant shall contribute \$1200 for three street trees to Portland's Tree Fund.
8. That the driveway apron and nearby sidewalk shall be reconstructed to meet City's Technical Standards.

**ATTACHMENTS:**

**Attachments to the Report**

- A. Level I Site Alteration Approval letter date
- B. DPW sidewalk comments
- C. Historic Preservation Program Manager comments

**Public comments** (none received to date)

**Applicant's Submittal**

1. Cover letter
2. Application and checklist
3. Right, Title and Interest
4. Zoning analysis Table
5. Condo Documents
6. Waiver Table
7. Financial and Technical Capacity
8. Technical capacity
9. Transportation analysis
10. Access and circulation
11. Public Transit
12. Off Street parking
13. Bicycle Parking
14. Snow Storage
15. Street Trees
16. Stormwater
17. Public Safety and Fire Prevention
18. Available Public Utilities
19. Site Design
20. Historic Resources
21. Zone Related Design Standards
22. Neighborhood Meeting Certificate and Notes
23. Response letter 9.19.18

**Plans**

- P1. Survey
- P2. Subdivision Plan (2 sheets)
- P3. Cover sheet
- P4. Site Plan
- P5. North Elevation
- P6. East & West Elevations
- P7. South Elevation
- P8. Floor Plans (3 sheets)
- P9. Building Permit Details