



PLANNING BOARD REPORT PORTLAND, MAINE

Proposed Map & Text Amendments
Maine Medical Center Institutional Overlay Zone (IOZ)
Maine Medical Center, Applicant

Submitted to: Portland Planning Board Public Hearing Date: September 26, 2017	Prepared by: Jean Fraser/Nell Donaldson, Planning Division Report Prepared: September 22, 2017
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I. INTRODUCTION

Maine Medical Center (MMC) has requested a Planning Board hearing on their final Institutional Development Plan (IDP) and Regulatory Framework, submitted in association with their application for the designation of an Institutional Overlay Zone (IOZ) around their campus. The IDP and Regulatory Framework are subject to review under the standards of the Institutional Overlay Zone. This item was tabled from the September 12, 2017 meeting to the date and time certain of September 26, 2017 at 6:30 p.m. per the request of the applicant and staff.

II. PROPOSED MMC INSTITUTIONAL OVERLAY ZONE

Maine Medical Center proposes amendments to the city's land use code and zoning map to establish a new Institutional Overlay Zone over their existing Bramhall Campus as well as proximate areas of potential long-term development (Figure 1). The overlay includes properties which are currently subject to Conditional Zoning Agreements (CZAs) between MMC and the city, as well as areas of conventional residential and commercial zoning (Figure 2). If adopted by the City Council, the proposed overlay zone would render the existing contract zones obsolete, requiring that the City Council rescind those conditional zoning agreements. In areas outside of those CZAs, the IOZ would overlay existing R6 and B-2 zoning. If adopted, the IOZ would supersede the underlying zoning for all properties within the IOZ to which MMC holds right, title, or interest. For properties not subject to MMC's right, title, or interest, the underlying zoning would continue to control.

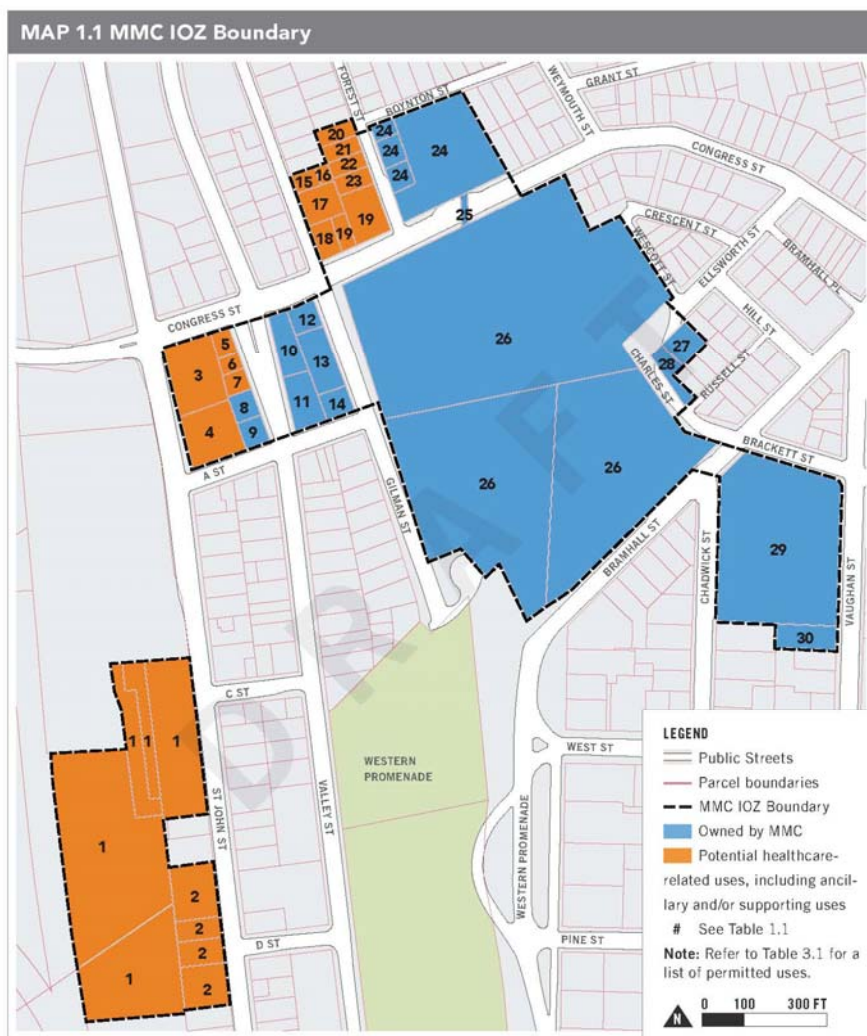
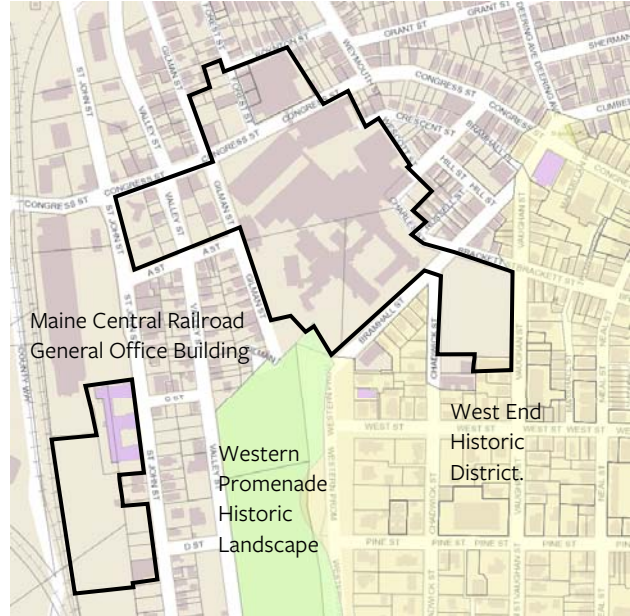
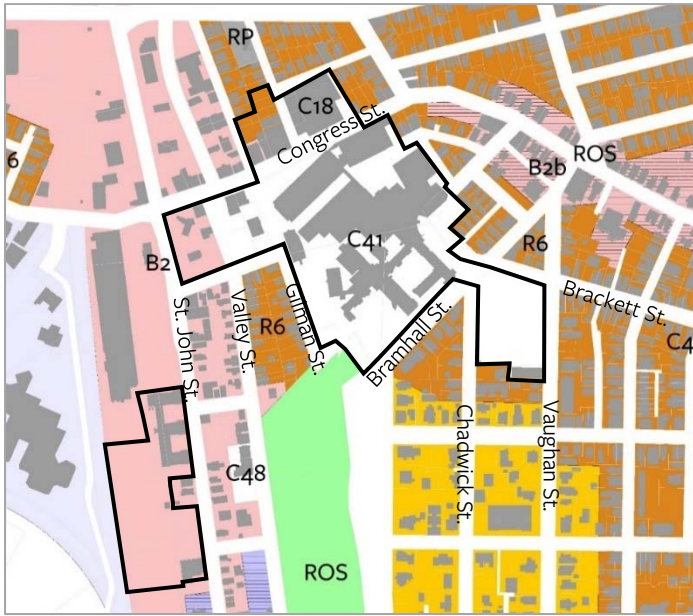


Figure 1: Proposed IOZ boundary



A. LAND USE CONTEXT

The proposed IOZ occupies an area of transition between five different neighborhoods, commercial, residential, and recreational land uses, and one of the city’s major gateways on Congress Street. Predominantly residential uses in the R-6 and R-4 zones fringe the proposed IOZ on the north, east, and south, while uses to the west on Congress Street and St. John Street are predominantly commercial in the B-2 zone. Portland’s Plan identifies the area around Congress and St. John Streets as a priority node for transformation.

As proposed, the IOZ would lie adjacent to the Western Promenade, a designated historic landscape, and the West End Historic District. The IOZ would also encompass the Maine Central Railroad General Office Building at 222 St. John Street, which was designated on the national register in 1988 (Figure 3). The IOZ boundary

Figures 2,3, and 4: Existing zoning context; historic context; and land use context.

includes existing commercial uses along St. John and Congress Streets. The boundary would also encompass existing residential uses (Figure 4).

Table 1: Short-Term and Long-Term Development Projects

	SF	Spaces
SHORT-TERM PROJECTS (0-5 YEARS)		
A. Congress Street Development	285,000	
B. Visitor Garage Vertical Expansion		225
C. East Tower Vertical Expansion & Relocated Helipad	60,000	
D. St. John St. Garage		~2,200
LONG-TERM PROJECTS (5-20 YEARS)		
E. Future Phase Congress Street Development	300,000	
F. LL Bean Building Addition	120,000	
	765,000	~2,425

B. INSTITUTIONAL DEVELOPMENT PLAN as BASIS FOR REZONE

As required by the IOZ ordinance, MMC has submitted an Institutional Development Plan that lays the foundation for the creation of the MMC IOZ (Attachment D). This IDP identifies existing and future clinical needs, facility needs, organizational needs, and parking needs as driving factors in MMC’s long-range planning, and finds that all of these needs, when combined, necessitate significant growth and change on the Bramhall campus.

The IDP outlines a number of short- and long-term projects which will result in the additional of substantial square footage for the hospital, major changes in terms of how patients, visitors, and staff interact, and major changes in how the hospital interacts with the city. Among the short-term projects identified in the IDP, MMC plans to add over 200 parking spaces in additional decks at the visitor garage on Congress Street, construct a 60,000 SF addition on top of the East Tower, relocate the helipad to the East Tower, construct a 2,000 space employee garage at 222 St. John Street, and develop a new 285,000 SF hospital building in the place of the existing employee garage on Congress Street. In the long-term, the IDP identifies an additional 420,000 SF of potential development, all of which would be located within the existing core campus.

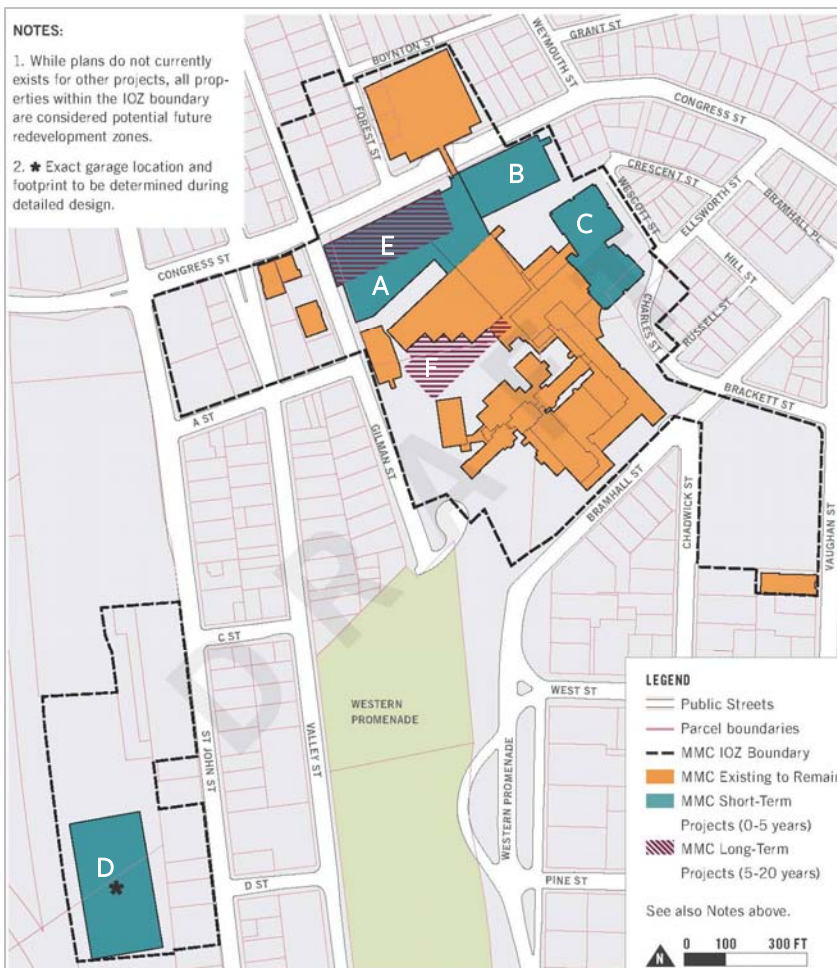


Figure 4: Short-Term and Long-Term Development Projects

Table 2: Projected Campus Growth & Change

	2016	2026	CHANGE
PEOPLE			
Inpatient Discharges	100	110	10
Inpatient Visitors	250	270	20
Outpatient Activity	600	620	20
Outpatient Visitors	600	620	20
Bramhall Outpatient Clinics	150	150	-
Shift 1	3,640	3,900	260
Shift 2	210	220	10
Shift 3	520	550	30
Total Employees	4,370	4,670	300
Med Students	100	110	10
Nursing Students	100	100	-
Other Students	20	25	5
Non-MFP Related Contractors	25	25	-
	6,315	6,700	385
PARKING			
Employee Spaces	2,027	2,602	575
Patient/Visitor Spaces	850	1,075	225
	2,877	3,657	780

Note: Parking totals are based on St. John Street garage and lot figures in Gorrill-Palmer's 9/5/17 Preliminary Traffic Assessment. 2026 figures represent MMC's short-term parking projects only. Figures assume that MMC will no longer use remote lots at 181 High Street, 993 Congress St., and 321 Brackett St.

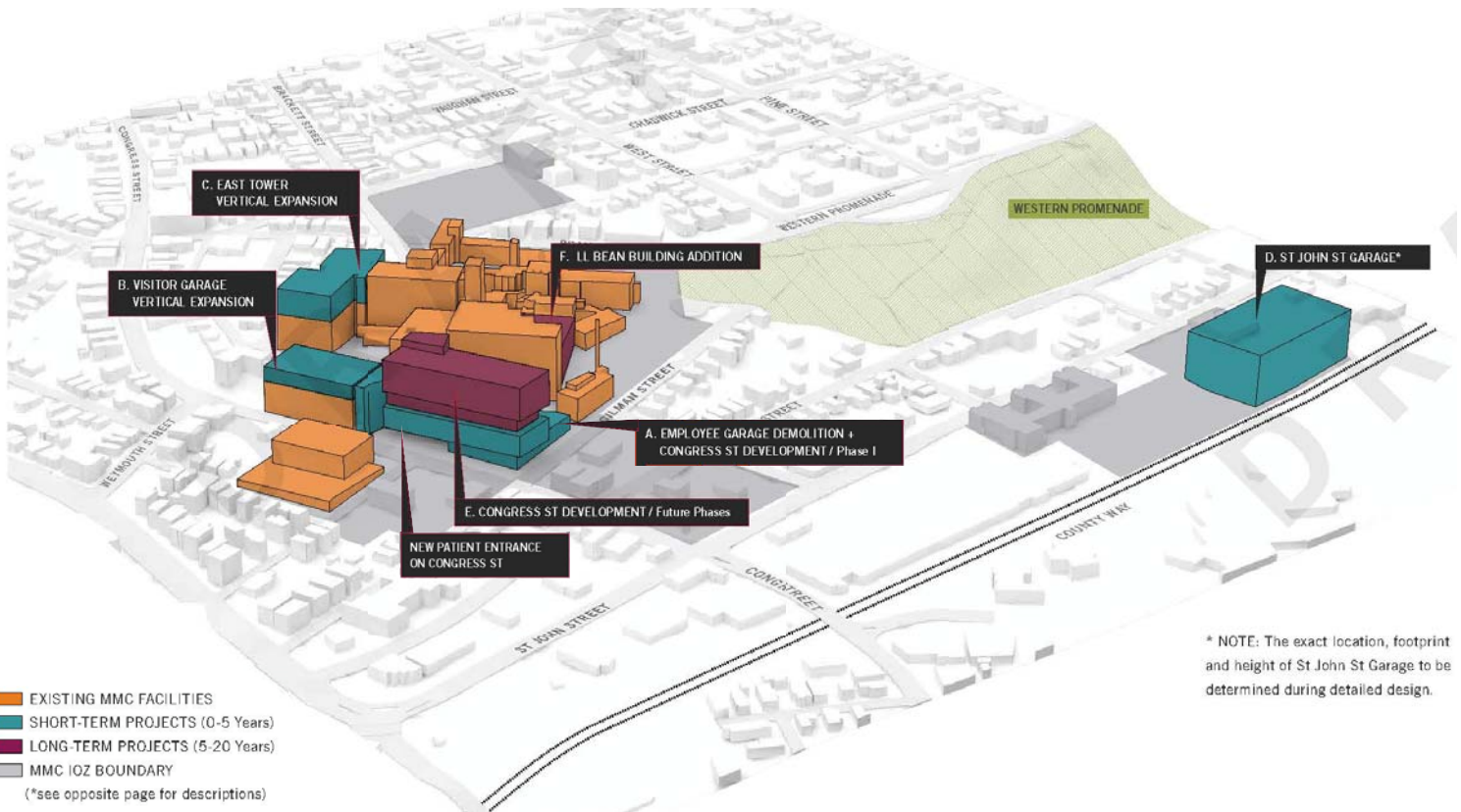


Figure 5: Short-Term and Long-Term Development Projects

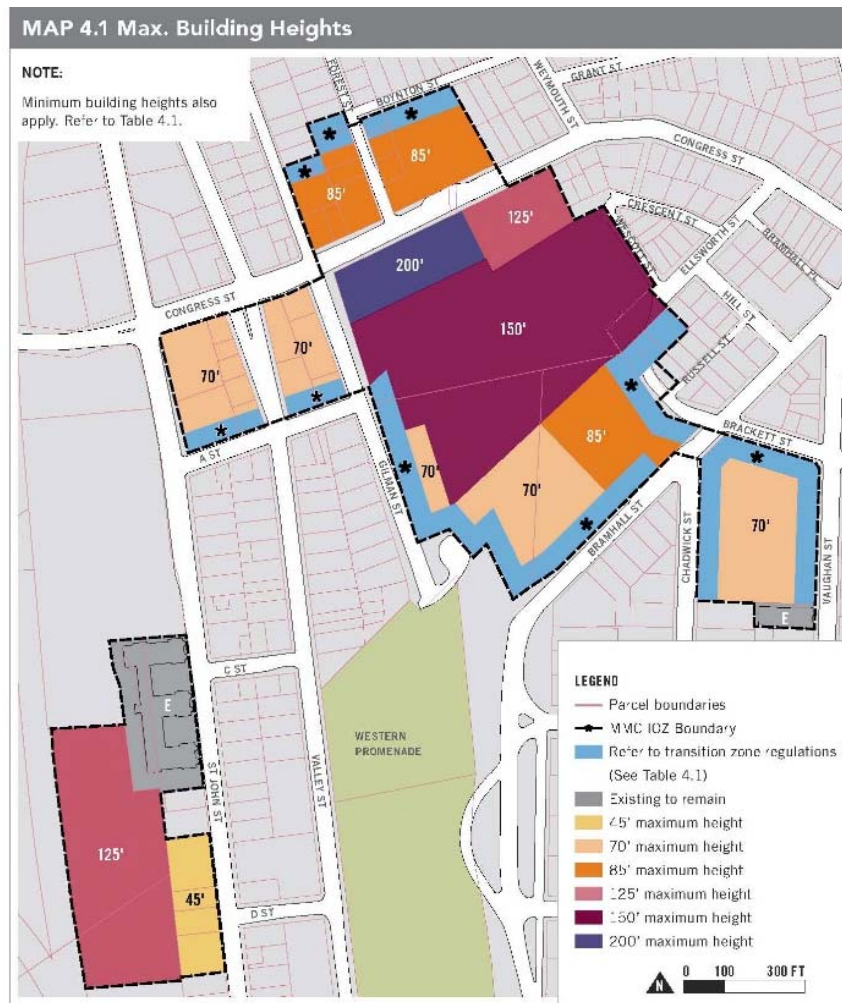
Collectively, these changes would result in 385 additional people on MMC’s Bramhall campus on a daily basis and almost 800 additional parking spaces for use by MMC patients, visitors, and employees. The plan would add needed “private, universal” patient rooms and surgery suites with improved access to the Emergency Department and “core diagnostic and treatment services” in the L.L. Bean building, establish a new primary patient entrance on Congress Street, provide centralized employee parking at 222 St. John Street, and eliminate aging infrastructure in the existing employee garage. The plan would also relocate the hospital’s busiest traffic generators away from nearby residential uses and towards the city’s gateway on Congress Street, clarify wayfinding and circulation patterns, and help to activate the Congress Street corridor.

Building on the work of the IDP, MMC has also submitted a final Regulatory Framework which, when coupled with the boundary of the IOZ, represents the proposed ‘zoning’ for MMC’s IOZ (*Attachment E*). Per the city’s IOZ ordinance, all future development proposed by MMC within the IOZ would not only be assessed for consistency with the IDP, but for compliance with the standards and requirements of the Regulatory Framework. (It should be noted that future development proposed by MMC would also continue to be subject to the city’s site plan standards and any other relevant elements of the land use code, such as the housing replacement ordinance.) As proposed, MMC’s Regulatory Framework includes provisions related to uses, dimensional standards, design, transportation and parking, environment, neighborhood integration, construction management, helipad, snow ban parking, housing replacement, and mitigation of future impacts (*Table 3*).

Table 3: Summary of Proposed Regulatory Framework Elements

<i>Phasing and schedules</i>	The Regulatory Framework includes a section related to monitoring, updates, and amendments, speaking to both the TDM component of the IDP and the IDP itself. The Regulatory Framework requires annual monitoring reports on the TDM plan, and tri-annual monitoring reports on the implementation of the IDP (including a summary of acquisitions and divestments since the date of IDP approval). With respect to amendments, the Regulatory Framework defines three classes subject to differing review procedures: updates, minor amendments, and major amendments. Minor amendments that impact the phasing of long-term development blocks identified in the IDP are subject to Planning Board review.
<i>Uses</i>	The final Regulatory Framework includes a list of permitted uses, including hospital, medical office, parking garage, residential, retail, restaurant, and outdoor use areas, among others.

Dimensional Requirements



The final Regulatory Framework includes dimensional standards that address maximum and minimum building heights, placement, and in some cases, length. Absolute heights range from 45’ to 200’, with the areas of most intense height concentrated in the core of the existing campus along Congress Street. Transition zones are identified along residential boundaries. In these areas, the height standards of the adjacent residential zone would apply. Front yard setbacks as proposed in the Regulatory Framework would range from 0’ to 20’ depending on the context, and a 40’ build-to zone is proposed for the southern side of Congress Street. In areas where the IOZ directly abuts a residential zone, minimum side and rear yard setbacks of the abutting residential zone would apply.

Design & Signs

The final Regulatory Framework includes language that states that all development proposed within the IOZ is required to adhere to the design guidelines developed in the IDP. The Framework also requires MMC to develop a campus-wide signage plan at the time of first site plan review to guide the design of future signs.

<i>Transportation</i>	The final Regulatory Framework requires the submittal of a TDM plan and parking studies at the time of site plan review to fully establish both the hospital’s parking needs and a program for creatively addressing them. The Regulatory Framework requires that the TDM plan establish trip reduction targets and that parking studies fully integrate those targets in their assessment of parking needs.
<i>Environment</i>	The final Regulatory Framework includes a statement that requires future MMC development to integrate with the surrounding context, including open space networks.
<i>Mitigation measures</i>	The final Regulatory Framework includes broad language stating that MMC shall be responsible for mitigating site plan impacts to off-premise infrastructure in a manner proportionate to those impacts, and that such mitigation may include financial or in-kind contributions.
<i>Neighborhood Integration</i>	The Regulatory Framework includes language that requires MMC to adhere to the community engagement principles identified in the IDP. The language further requires the creation of a Neighborhood Advisory Committee as outlined in the IDP. The Regulatory Framework also requires that MMC submit a construction management plan at site plan review that addresses major areas of public concern.
<i>Other</i>	The final Regulatory Framework addresses existing exceptions from the Helistop Overlay Zone ordinance, provides for snow ban parking in a designated parking area on or near the MMC campus, and notes that future development by MMC will be governed by the city’s housing replacement ordinance.

III. PLANNING BOARD & PUBLIC COMMENT

A. Planning Board Review

The Planning Board has held four prior workshops on the MMC IDP and Regulatory Framework, focusing broadly on four major topic areas:

- **Transportation and Parking**, including ways to creatively site parking to minimize neighborhood impacts, promote Transportation Demand Management (TDM) and alternatives to single-occupancy vehicles, and reduce parking demand;
- **Design**, including ways to support successful transitions between MMC buildings and neighboring properties; create active edges, particularly on commercial and mixed-use streets; address visual impacts; and encourage high quality design;
- **Community Engagement**, including ways to support best practices in community engagement with an aim toward developing a positive relationship between neighbors and the institution; and
- **Construction Management**, including critical principles that should be carried through all MMC construction projects to ensure that potential neighborhood impacts are addressed.

The Board’s last workshop included an introduction to MMC’s final draft IDP and Regulatory Framework. The Board discussed the way the IDP and Regulatory Framework treat issues of design and street activation, displacement of existing uses, parking and TDM, and traffic impacts. Board

members also questioned the level of specificity represented in the proposed design guidelines and the framework for managing future amendments.

B. Public Comments

The Planning Division received numerous public comments during the development of the Institutional Overlay Zone, the process that preceded this review (*Attachments PC1 - PC22*). Staff has also received numerous public comments during the MMC IOZ process (*Attachments PC23 – PC34*). These comments have raised a number of issues, but a clear theme is how the scale and location of the MMC expansion affects the local neighborhood, and how to minimize this potential impact through the IOZ and Regulatory Framework. *Table 4* summarizes public comment by topic area.

As required, MMC held public meetings throughout the course of IDP and Regulatory Framework development. The IDP includes a summary of public concerns expressed through this process. Among these, the IDP highlights traffic and parking, the IOZ boundaries, encroachment on existing residential and commercial uses, and public engagement.

Table 4: Summary of Major Comments

Issue/Concern	Relevant IDP/Regulatory Framework Provisions
<i>The boundary of the IOZ and institutional encroachment</i>	Within their IDP, MMC confines proposed short- and long-term development projects, with the exception of the proposed garage at 222 St. John Street, to the limits of their existing campus core. However, MMC has proposed an IOZ boundary that includes properties outside of this core to which they do not currently hold right, title, and interest. In order to address concerns regarding institutional encroachment, language has been included in the Regulatory Framework that subjects any phasing change that affects these parcels to Planning Board review as an amendment to the IDP. The Regulatory Framework also includes language stating that the extension of its functionally-related campus operations beyond the boundary of the IOZ would require an amendment to the IDP.
<i>Loss of existing residential and commercial uses</i>	The Regulatory Framework includes language to permit commercial and residential uses, and the final iteration of the IDP includes a street activation diagram which specifically identifies areas of the IOZ where mixed uses (e.g. with ground floor retail or restaurant) may be particularly appropriate. The design guidelines also stress the inclusion of “vibrant, contributing and sustainable active ground floors...to add activity and a sense of place.” Lastly, the Regulatory Framework reinforces that development by MMC within the IOZ will be subject to the city’s housing replacement ordinance.
<i>The location of parking garages and transportation impacts</i>	In response to concerns regarding MMC’s initial proposal to place a garage on the corner of Congress and Gilman Streets, MMC has proposed an alternative location in their final IDP at 222 St. John Street. Their initial traffic assessment shows that traffic volumes at adjacent intersections will shift with the short- and long-term expansion plans, and that this may result in the need for mitigation to be identified during site plan review (<i>Attachment F</i>).

<p><i>TDM approach</i></p>	<p>MMC’s IDP includes a basic TDM approach. In the final iteration, MMC has targeted a 1.5% reduction in single-occupancy vehicle trips within 5 years of IDP approval, and committed to improved data collection, full transit subsidies, and an evaluation of employee parking pricing, among other means, as ways of meeting this target. The Regulatory Framework requires that a formal campus-wide TDM plan be provided at the time of site plan review, and this plan be monitored on an annual basis.</p>
<p><i>Height and design of new buildings and associated impacts (e.g. shadows, edge, massing, and transitions)</i></p>	<p>MMC’s final IDP includes graphics showing proposed zoning envelopes, a shadow analysis, and a series of design guidelines intended to address issues of neighborhood compatibility. For example, the general design guidelines, which would apply to all buildings within the IOZ, promote “compatib[ility] with the existing, or – in areas of change – planned character of residential and commercial neighbors.” The Regulatory Framework includes dimensional requirements that takes cues from the surrounding context through the use of transition zones.</p>
<p><i>Construction impacts (e.g. noise, vibration, nuisance, construction parking)</i></p>	<p>MMC’s final Regulatory Framework includes language that requires MMC to submit construction management plans at the time of site plan review that comport with construction management principles identified in the IDP. These principles include broad statements on neighborhood communication, schedule, work hours, noise, public safety and pedestrian access, parking and traffic, air quality, and impacts to surrounding buildings.</p>
<p><i>Operational impacts (e.g. noise, smoking, snow ban parking)</i></p>	<p>The final IDP includes language regarding noise impacts and the process for managing noise complaints, and an explanation of efforts MMC has made to address issues of smoking on and proximate to its campus. The Regulatory Framework also commits MMC to providing snow ban parking in a designated parking area on or near its campus.</p>
<p><i>Public involvement approach</i></p>	<p>The final Regulatory Framework commits MMC to ongoing community engagement principles identified in the IDP, among them the creation of a chartered “Neighborhood Advisory Committee,” including representatives of the surrounding neighborhoods, the city, and the City Council, which would meet on a quarterly basis.</p>
<p><i>Accountability, transparency, and enforcement</i></p>	<p>As noted above, the final IDP and Regulatory Framework include several mechanisms which address concerns regarding accountability, including the formation of the Neighborhood Advisory Committee. At a broader level, the IOZ creates a clear structure whereby future development is required to be consistent with the IDP and Regulatory Framework, and the Regulatory Framework requires not only regular updates on IDP implementation, including updates on acquisitions and divestments, but that MMC follow an amendment process whereby future changes to the IDP are reviewed by the Planning Board in a public setting.</p>

IV. REVIEW OF IOZ PROPOSAL

Following the Board's early August workshop, city staff from Historic Preservation, Public Works, Parks and Recreation, Transportation, and Fire Prevention reviewed MMC's August 8 IDP and Regulatory Framework. Planning staff summarized comments from all reviewing departments and forwarded them to MMC. MMC responded to comments with a written summary, and following several iterations of comments and responses, ultimately submitted a final IDP and Regulatory Framework on September 18. This iteration of the IDP and Regulatory Framework was subsequently revised to address staff comments and resubmitted on September 22. The September 22 versions of the IDP and Regulatory Framework are the subject of this review.

A. Institutional Development Plan Review

The Institutional Development Plan has been reviewed for conformance with the review standards of the city's Institutional Overlay Zone ordinance. Major findings of city staff are summarized in *Table 5*.

Table 5: IDP Standards of Review (*Section 14-280(d)*)

The IDP shall:

1. *Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board;*
The IDP generally incorporates elements that reflect the content requirements of the IOZ ordinance, including context information and an assessment of future institutional growth and change.
2. *Reflect the issues/topics identified in the required public process;*
As noted above, the IDP generally identifies concerns identified throughout the review process, including traffic and parking, the IOZ boundaries, encroachment on existing residential and commercial uses, accountability, design, and public engagement (*Table 3*).
3. *Demonstrate consistency with the city's Comprehensive Plan and the purpose of this ordinance;*
The IDP includes a section which documents basic consistency with economic, transportation, and environmental elements of Portland's Plan. The IDP refers to the goals from Portland's Plan that support institutional growth and "orderly expansion." The IDP also notes that the intersection of St. John and Congress Streets is identified as a priority growth node in Portland's Plan.

With respect to the purpose of the IOZ ordinance, the IDP generally reflects proactive planning and addresses long-term needs and impacts, attempts to integrate future institutional growth and change with the surrounding context, supports ongoing public engagement and improved community relations, and reflects municipal policy objectives.

4. *Demonstrate how the property ownership, proposed growth, and requested Regulatory Framework relate to the institution's mission;*
The IDP states that MMC's mission is to improve the health of its communities through direct clinical care, medical education, and research. MMC identifies existing needs addressed by the proposed short- and long-term projects in the IDP, all of which are directly related to improving patient care and thus serving the first core element of the hospital's mission.

5. *Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands;*

MMC's IDP includes a summary of the existing transportation system servicing the campus, including the vehicular, pedestrian, transit, and bicycle networks. The IDP also includes an examination of future transportation needs, particularly with respect to parking. These analyses conclude that the hospital experiences an existing parking shortfall, and that, with the addition of a total of 385 additional employees, patients, and visitors by 2026, this shortfall will only widen.

In order to address the transportation needs of these new employees, patients, and visitors, as well as the needs of their existing population, MMC's IDP includes an access and circulation plan that focuses largely on several discrete short-term physical changes: moving the patient drop-off to a new hospital building on Congress Street, adding 225 structured parking spaces for patients and visitors on top of the existing patient/visitor garage on Congress Street, and moving existing employee parking to a new 2,200 space parking structure on St. John Street. The final plan also includes conceptual locations of future pedestrian connections between the St. John Street garage and the hospital complex and states that both a right-of-way plan and an assessment of transit stops will be completed under site plan review.

In addition, MMC has included several programmatic elements in its transportation approach designed to address transportation needs through transportation demand management (TDM). Among these, MMC's IDP indicates that the hospital will hire a TDM coordinator, increase marketing and education regarding TDM, conduct more consistent and rigorous data collection regarding employee mode choice, participate in regional TDM partnerships, fully subsidize transit ridership for employees, and enhance rideshare matching. MMC commits to a 1.5% mode shift target within 5 years of plan approval and annual TDM monitoring.

The Preliminary Traffic Assessment submitted with the IDP projects changes in traffic volumes associated with both the short- and long-term development plans (*Attachment F*). This assessment anticipates that volumes during the AM and PM peak hours at Congress and St. John Streets will increase by up to 58% and that volumes on Congress and Valley Streets will increase by up to 2% over the long-term planning horizon. However, it anticipates that these two intersections will continue to operate at acceptable levels of service during the hospital's peak hour. Congestion is projected at the entrance to the proposed garage at 222 St. John.

It should be noted that a more extensive traffic analysis will be required at the time of site plan review. Additional geographic scope, data collection, trip generation analysis, garage ingress and egress analysis, and traffic model calibration will likely be required. Off-site traffic mitigation, such as roadway and intersection improvements, traffic signal modification, traffic calming, and/or pedestrian, transit, and bicycle accommodations, may also be required (*Attachment 2*). These comments have been integrated into a proposed condition of approval relating to traffic analysis under future site plan review.

6. *Outline an approach to open space, natural, and historic resources that supports preservation and enhancement.*

MMC's final IDP identifies "significant" natural resources in the immediate vicinity of the IOZ, including the Western Promenade and several "natural" areas on MMC property at Bramhall and Gilman Streets. The IDP states that the emphasis on vertical expansion

allows the hospital to avoid “encroach[ing] upon or negatively impact[ing]” these natural resources. The Environmental Protection and Operations Plan identifies the Western Promenade as a protected public open space and notes that MMC’s existing open spaces will remain.

The IDP also identifies existing historic sites in proximity to the IOZ, including the Western Promenade, the West End Historic District, and the Maine Central Railroad Building. The IDP pays particular attention to the Western Promenade, and includes references to the defining characteristics from the original historic landmark designation report. The design element of the plan notes that MMC will “work to mitigate potential impacts” to the Western Promenade as well as other historic landmarks.

It should be noted that the IDP’s Transportation Plan identifies a potential future walking route through the Western Promenade and that the proposed garage at 222 St. John Street will impact views from the Western Promenade to the west. MMC has prepared to show photosimulations which reflect these view impacts at the Planning Board hearing. This item may require additional discussion.

7. *Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated;*

The IDP identifies a number of ways that the hospital is working towards environmental sustainability in broad terms. The plan describes the hospital’s existing efforts in terms of energy efficiency, waste management, landscaping, and snow removal.

The IDP also speaks to noise impacts, highlighting the plan to relocate the existing helipad from the employee garage to the East Tower. The IDP includes language directly from the existing CZA regarding the helipad review process, and states that the plan “aims to minimize noise and disturbance for the benefit of its neighbors and patients.” The IDP notes that approaches to noise impacts will be addressed under future site plan review.

8. *Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated;*

The IDP includes an assessment of stormwater and sanitary flows, which notes that recent development at MMC has focused on separating stormwater runoff within the campus and directing it to municipal separated storm drainage infrastructure in A Street and Gilman Street where feasible. However, significant portions of the hospital campus continue to discharge to the combined sewer system in Congress, Wescott, Charles, Bramhall, and Brackett Streets. The assessment notes that much of the development anticipated in the short- and long-term development plans will not significantly increase impervious surface area, and thus stormwater flows from the campus. However, sewer discharges are anticipated to increase as a result of the short- and long-term expansion, particularly with the construction of the East Tower addition and the Congress Street hospital building.

The Department of Public Works has identified potential capacity problems associated with the city’s combined sewers in this area, particularly during rainfall conditions (*Attachment 3*). As a result, any sewer flow increase may impact the city’s ability to handle stormwater flows, even if stormwater volumes do not increase as a result of the expansion. MMC has noted these capacity issues in their IDP, and that these will need to be addressed under future site plan review. This review is likely to require MMC to further examine stormwater and sewer infrastructure at a campus-wide scale and incorporate measures to detain and/or direct stormwater to nearby separated systems. This has been incorporated into the conditions of approval for the IDP.

Similarly, the city's Fire Prevention Bureau has identified that there may also be capacity issues in the water system, and that pressure for fire service will need to be confirmed under site plan review. The IDP identifies this issue.

The IDP includes future energy demand projections and notes that MMC will work with CMP to confirm capacity to serve under future site plan review.

9. *Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric;*

The design element of the IDP presents an explanation of the basic approach to design, the approach to neighborhood integration, and a set of design guidelines. The design element cites "improving the interface between campus and community" as an objective of the IDP, and establishes several mechanisms designed to address this. In an effort to create a consistent scale on either side of the IOZ boundary, for example, the IDP includes transitional zones at residential edges which limit height and in some cases setbacks to those of the adjacent zone. The IDP's design guidelines, similarly, at a general level, state that buildings within the IOZ should be designed to "relate to and be compatible with" the existing or planned character of neighboring buildings. The guidelines also promote the activation of ground floors and limit blank facades, and a street activation diagram has been added to the plan.

As noted above, the proposed garage at 222 St. John Street will be visible from the Western Promenade and will impact views from this area. The project has the potential to be the largest building in the city and mitigation of its impacts could be partially addressed through design, including consideration of the appropriate height, length of building, and long views. Staff has requested additional language to address concerns regarding the scale and design of the proposed garage. As noted above, MMC plans to share photosimulations of the garage from the Western Promenade at the Planning Board hearing. Additional discussion on the IDP's treatment of the 222 St. John Street site may be necessary.

10. *Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local amenities;*

In the most recent iteration of the IDP, MMC has included both text and graphics that support a variegated approach to design based on three street typologies found within the IOZ. The guidelines broadly support the concept of vibrant, street-oriented uses that relate to their immediate context. At a finer-grained level, the IDP's design guidelines stress the activation of major streets such as Congress Street and St. John Street, both in terms of urban design and use. For example, the final IDP establishes design guidelines for Congress Street and portions of St. John Street that support dense development that creates a continuous street wall and activates the street through both programmatic choices and design features, such as entrances, lobbies, and visual transparency. On local residential streets, in contrast, the final IDP promotes guidelines reflective of the residential context, stressing building orientation to the street, scale, and building placement, rather than street activation. Mixed-uses, including residential and commercial, are expressly permitted within the proposed IOZ, and the city's housing replacement ordinance is also explicitly reinforced.

11. *Anticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure;*

The final IDP broadly considers future off-site improvements at a conceptual level. For instance, the plan identifies pedestrian linkages between the proposed employee parking garage and the new hospital building and commits to participation in regional TDM

initiatives. At a broader level, the IDP acknowledges that, under future site plan review, improvements to infrastructure may be required.

12. *Conform with Portland’s Historic Preservation Ordinance standards for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. When proposed adjacent to or within one hundred (100) feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity; and*

As noted above, the final IDP identifies historic landmarks, landscapes, and districts proximate to the IOZ boundary, including the Western Promenade and the Maine Central Railroad General Office Building on St. John Street. The IDP notes that Historic Preservation will be involved in the review of short- and long-term projects within 100 feet of these historic resources.

13. *Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.*

The final IDP includes a neighborhood engagement strategy developed over the course of several months and with the input of neighbors and neighborhood organizations. The strategy includes ongoing engagement through a committee consisting of neighborhood association leadership, city staff, the district councilor, and staff from MMC. This committee would develop a charter to guide its work with reporting to the city at regular intervals. The strategy also includes a series of principles to guide construction-related community engagement around noise, public safety and access, traffic and parking, air quality, and geotechnical impacts.

B. MMC Institutional Overlay Zone & Regulatory Framework Review

The proposed Regulatory Framework has been reviewed for conformance with the review standards of the city’s Institutional Overlay Zone ordinance. Findings are summarized in *Table 6*.

Table 6: Regulatory Framework Standards of Review (*Section 14-281(e)*)

The Regulatory Framework shall:

1. *Be consistent with the Comprehensive Plan and the Institutional Development Plan;*
As noted above, Portland’s Plan recognizes that the city needs to “plan for institutional growth,” and establishes two goals in this vein: to “[p]romote the orderly expansion of institutional uses, such as educational, cultural and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies” and to “[e]nsure that the growth of Portland’s educational, medical, and cultural institutions is integrated into Portland’s urban fabric through the use of high quality design, management of impacts, community partnerships, and innovative planning.” The intersection of St. John and Congress Streets is also identified as a priority node in Portland’s Plan.

The Regulatory Framework is designed to allow MMC to grow and change within a flexible framework that responds to its context within the city, and in this, it is generally consistent with Portland’s Plan. The Regulatory Framework by its very nature promotes orderly expansion of the hospital, in that it requires MMC to develop in a manner consistent with the IDP, which establishes a series of anticipated projects for the short- and long-term. With respect to Portland’s Plan’s integration goal, the Regulatory Framework, in concert with the IDP, attempts to promote strong urban design through references to design guidelines, plan for management of future impacts through mitigation language, and

support healthy relationships between neighborhood and institution through the requirement of a neighborhood engagement strategy that addresses continuous public involvement as well as engagement during construction.

2. *Provide a clear zoning framework, using graphics and tables as appropriate, to apply to future site plan reviews;*

The final Regulatory Framework is clearly written and uses graphics and tables to simply communicate its core concepts.

3. *Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement; and*

The final Regulatory Framework addresses a variety of concerns raised during the review process, including concerns regarding the management of transitions, building placement, TDM planning, neighborhood engagement, construction management, snow ban parking, and mitigation. However, there are some elements of the Regulatory Framework which may merit further consideration by the Board.

The Regulatory Framework includes two basic mechanisms that relate to concerns regarding neighborhood encroachment: language relating to the expansion of “functionally-related” hospital uses beyond the IOZ boundary and language pertaining to future IDP amendments. Considerable effort has been made to arrive at language that responds sufficiently to neighborhood concerns, protects the ability of the hospital to react to unforeseen opportunities, and ensures that the IDP is serving its purpose as a long-range planning tool. Staff is anticipating that the September 22 draft will reflect suggested staff edits.

The heights depicted in the Regulatory Framework have been carefully considered over the course of the review process. However, as noted above, the height for the 222 St. John Street site, which is shown at 125’ in the September 18 Regulatory Framework, has received more intensive consideration recently as the garage location has been finalized. The proposed height envelope reflected in the Regulatory Framework is of particular concern to the city’s Parks and Recreation Department, which manages the Western Promenade. The photosimulations to be presented at the public hearing will be a focus of discussion and may lead to revisions to the proposed height.

In a similar vein, there has been considerable discussion over the course of the review regarding the way in which the Regulatory Framework expresses heights along Congress Street within the IOZ. Staff has consistently requested that the hospital show height limits in terms of both absolute height and stories for purposes of both clarity and design. Staff has maintained that a hybrid approach to measuring height provides more consistency and clarity for future interpretation, particularly in areas of steep grades, such as Congress Street. Staff has also argued that the expression of height in stories is critical in terms of maintaining a scale relative to the surrounding context, much of which is three or four stories in height. The September 22 Regulatory Framework should reflect this approach.

4. *Outline measurable goals and thresholds for improvements or other actions identified in the IDP to be advanced in subsequent site plan applications*

The Regulatory Framework requires several critical plans and studies to be developed and reviewed at the time of future site plan, including a TDM plan, signage plan, construction managements plans, and parking studies. In this same vein, the Regulatory Framework includes language that requires future mitigation of impacts to off-premise infrastructure.

V. RECOMMENDATIONS

In general, the staff finds that the proposed Institutional Development Plan, IOZ boundary, and Regulatory Framework meet the standards of the Institutional Overlay Zone ordinance subject to the conditions below. However, the Planning Board may wish to consider continuing the public hearing to October 10, 2016. If the Board finds that the information presented by MMC at the hearing is sufficient, staff have provided motions below.

VI. MOTIONS FOR THE BOARD TO CONSIDER

A. Institutional Development Plan

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 26, 2017 for application #2017-002, and on the basis of the testimony presented at the public hearing, the Planning Board finds that Maine Medical Center's Institutional Development Plan **[is or is not]** in conformance with the Institutional Overlay Zone review standards of the land use code and **[approves/does not approve]** the Institutional Development Plan subject to the following conditions of approval:

1. The applicant shall address technical comments with respect to future traffic analysis, including comments regarding the need for additional geographic scope, data collection, trip generation analysis, garage ingress and egress analysis, traffic model calibration, and mitigation analysis, at the time of site plan review, and
2. At the time of site plan review, the applicant shall address technical comments regarding the examination of stormwater and sewer infrastructure at a campus-wide scale and the incorporation of measures to detain and/or direct stormwater to nearby separated systems.

B. Repeal of CZA C18 883-903 Congress Street and CZA C41 in the Vicinity of Western Promenade/Maine Medical Center

The Planning Board finds that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Urban Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect the repeal of the conditional rezoning #18 for 883-903 Congress Street and the conditional rezoning #41 in the Vicinity of Western Promenade/Maine Medical Center.

C. MMC Institutional Overlay Zone

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 26, 2017, and on the basis of the testimony presented at the public hearing, the Planning Board finds that the proposed Institutional Overlay Zone amendments **[are or are not]** consistent with Portland's Comprehensive Plan and therefore **[recommends or does not recommend]** adoption of the amendments to the City Council.

VII. ATTACHMENTS

Report Attachments

1. IOZ Ordinance as approved by City Council
2. Transportation Review (memo from Thomas Errico, 9.20.17)
3. DPW Comments (memo from Keith Gray, 9.21.17)
4. Design Comments on 9/18 Draft IDP (memo from Caitlin Cameron, 9.21.17)

Public Comments

- PC-1. Barowitz correspondence 12.6.16
- PC-2. Snyder correspondence 12.7.16

- PC-3. St. John Valley Neighborhood Association correspondence 12-16
- PC-4. Martin correspondence 12.13.16
- PC-5. McKenzie Bowcott correspondence 12.11.16
- PC-6. Bowcott correspondence 1.10.17
- PC-7. Vilani correspondence 1.9.17
- PC-8. McNamara correspondence 1.10.17
- PC-9. Sabina correspondence 1.10.17
- PC-10. Fuller correspondence 1.10.17
- PC-11. Western Promenade Neighborhood Association (Pringle) correspondence 1.10.17
- PC-12. Alexander correspondence 1.16.17
- PC-13. Snyder correspondence 1.26.17
- PC-14. Fuller correspondence 2.6.17
- PC-15. Knoll correspondence 2.7.17
- PC-16. Donnelly correspondence 2.10.17
- PC-17. Barowitz correspondence 2.12.17
- PC-18. Wells correspondence 2.13.17
- PC-19. Fuller correspondence 2.19.17
- PC-20. Pringle correspondence 3.7.17
- PC-21. McNamara correspondence 3.27.17
- PC-22. Sabina correspondence 3.28.17
- PC-23. SJVNA correspondence 4.18.17
- PC-24. MilNeil correspondence 4.25.17
- PC-25. Pringle correspondence 4.25.17
- PC-26. MilNeil correspondence 4.27.17
- PC-27. Snyder correspondence 5.9.17
- PC-28. Pedestrian and Bicycle Advisory Committee correspondence 5.15.17
- PC-29. SJVNA correspondence 5.23.17
- PC-30. Sabina correspondence 8.1.17
- PC-31. Barowitz correspondence 8.6.17
- PC-32. McNamara correspondence 8.8.17
- PC-33. Martin correspondence 8.8.17
- PC-34. Peters correspondence 9.6.17

Applicant's Submittals

- A. MMC Presentation on Parking and TDM (4.6.17)
- B. MMC Commuter Survey Results (4.6.17)
- C. MMC TRIMMS Methodology Memo (5.16.17)
- D. MMC Final Draft IDP (9.22.17)
- E. MMC Final Draft Regulatory Framework (9.22.17)
- F. MMC Final Traffic Assessment (9.22.17)