

City Council Workshop
January 12, 2015
6:30 P.M.
City Council Chambers

Councilors Present

Linda Cohen, Mayor
Brad Fox
Thomas Blake
Patricia Smith
Maxine Beecher
Melissa Linscott
Claude Morgan

Staff Present

Jim Gailey, City Manager

MINUTES

Mayor Cohen opened the meeting and welcomed all in attendance. She reminded folks that members of the public are invited to comment on each item as it comes before the Council for a period of no more than two (2) minutes. All questions or concerns would be made through the Chair and if they wished to address the City Council they would be asked to please raise their hand and upon being recognized would state their name and address for the records.

- 1. Amending Chapter 27, “Zoning,” for a Zone Map Change from IL to CCR – 55 Maine mail Road**
- 2. Knightville Parking and Circulation**
- 3. Review of Upcoming Workshops**
- 4. Executive Session**

A motion may be made to go into executive pursuant to 1 M.R.S.A. 7405 (6)©, for discussion regarding the disposition of city-owned property

1. **Amending Chapter 27, “Zoning,” for a Zone Map Change from IL to CCR – 55 Maine Mall Road:** Jim Gailey, City Manager explained that Representatives from the Estate of Mary Rose-Starr brought forth a request to the Planning Board to rezone the parcel they own from Light Industrial (IL) to Central and Regional Commercial (CCR). The purpose of the change is to allow for office and/or retail development.

The property is located at 55 Maine Mall Road, between the Maine Mall Road and the Maine Turnpike, and adjacent to the Johnson Road/Western Avenue intersection. It is shown at Map 47, Lot 1 on the Assessor’s tax maps. It was originally zoned Rural Residential (RF) and then changed to IL in 2009. It consists of 68,824.8 SF of vacant land. The Central and Regional Commercial (CCR) District allows the following uses per Sections 27-772 (permitted) and 27-773 (special exceptions):

Section 27-772 – Permitted Uses (CCR)

- (a) Retail trade, not including outdoor sales or display except as an accessory use, and not including new or used motor vehicle sales facilities.
- (b) Personal services.
- (c) Business services.
- (d) Financial services, including branch banks.
- (e) Professional offices and office complexes.
- (f) Fully enclosed places of assembly, amusement, or culture.
- (g) Restaurants.
- (h) Hotels and motels.
- (i) Accessory buildings and uses, including telecommunication antennas, except that such antennas may not be placed on exempt towers.
- (j) Child, adult or combined day care centers.
- (k) Extended stay hotels.
- (l) Telecommunication towers. Site plan approval by the Planning Board is required.
- (m) Educational Services.

Section 27-772 – Special Exceptions (CCR)

- (a) Public utility buildings, including substations, pumping stations, and compressor stations.
- (b) Government buildings and uses other than professional offices and office complexes.
- (c) Community buildings and/or grounds for games, recreation, or sports, provided that any such use does not generate a volume or frequency of traffic that is incompatible with the purpose of this district as set forth in Sec. 27-771 above.
- (d) Outdoor sales or display other than as permitted as an accessory use, upon such conditions as the Planning Board may impose to further the intent and purpose of this Chapter, including:
 - (1) A limitation on the maximum percentage of ground area which may be devoted to such outdoor sales or display;
 - (2) A requirement that such outdoor sales or display be restricted to a specific portion of the site;
 - (3) A limitation on the hours of operation for, and the number of units included within, such outdoor sales or display; and
 - (4) A requirement that the site be landscaped or contain one or more buffers to provide adequate protection to neighboring properties from detrimental visual or other features of such outdoor sales or display, provided that any such buffer may contain a limited display area for motor vehicles as part of a site improvement plan approved by the Planning Board, which plan may impose limits on the number and type of motor vehicles allowed in the display area, and may require landscaping, lighting, stone walls, or similar features.
- (e) Automotive filling stations, automotive repair services, and car washes, provided that gasoline pumps or other service appliances shall not extend nearer than fifty (50) feet to the street line; and provided that no unlicensed vehicles, or junked or wrecked vehicles, shall be allowed to be parked or stored on-site, and no trucks, trailers, or buses shall be allowed to remain parked on-site unless being worked upon or being serviced by employees of the station, and upon such conditions as the Planning Board may impose to further the intent and purpose of this Chapter, including:
 - (1) A limitation on the type and scope of work which may be performed at the station, in order to minimize, reduce or eliminate noxious or hazardous uses, or other kinds of nuisances or uses incompatible with neighboring uses; and
 - (2) A limitation on the hours of operation, and the number of vehicles which may be serviced during the allowed hours of operation; and
 - (3) A requirement that the site be landscaped or contain one or more buffers to provide adequate protection to neighboring properties from detrimental visual or other features of the use.

(f) New motor vehicle sales facilities, with limited used motor vehicle sales as an accessory use, upon such conditions as the Planning Board may impose to further the intent and purpose of this Chapter, including:

(1) A limitation on the number and location of new and used cars stored and displayed on site; and
(2) The conditions for outdoor sales or display set forth in Sec. 27-773(d) above.

(g) Passenger shuttle service facility, provided that the site contain buffers along its street frontage and side yards to provide adequate protection to neighboring properties and the community from detrimental visual features of the use.

(h) Automobile rental facility, provided that the site contain buffers along its street frontage and side yards to provide adequate protection to neighboring properties and the community from detrimental visual features of the use.

(i) Medical marijuana dispensary.

(g) Farmers' market subject to the provisions of Sec. 27-1580 et seq.

The Planning Board held a public hearing on November 12, 2014. By a vote of 7-0, recommended approval of the zoning map change for Assessor's Map 47, Lot 1 from the Light Industrial (IL) district to Central and Regional Commercial (CCR) district. This recommendation was based on the determination that the future development of the parcel would be more compatible with CCR district's permitted and special exception uses and is consist with City's Comprehensive Plan. Included is a copy of the Planning Board report. Tex Haeuser was at Monday's meeting to answer questions.

Public Comment Opened: No comments

Councilor Morgan asked about application dates (October 2014) and intended use? He had no objections to this item and felt that it was consistent to this area with the housing guidelines. He felt that the Mall is a "Cash Cow" which can be embraced and infused with areas businesses if okayed.

Councilor Blake discussed this being farm land 50 years ago and looking at the whole prospective. He further discussed the Planning Board Meeting notes and was also ok with this item.

Councilor Smith was ok with the change and agreed with Councilor Morgan on his comments.

Councilor Beecher agreed that this was right for progress and felt that it was not a nice looking piece of land.

Councilor Fox agreed as well that this made sense and felt that this was a good use for this land.

Councilor Linscott asked about the taxes with a zone change here and wanted to make sure that this would be worked out.

Councilor Morgan asked if there were other buildings zoned for this out there (Youth Center).

Mayor Cohen felt that this would make sense and added that this would be on the agenda for the next City Council Meeting.

2.Knightville Parking and Circulation: Jim Gailey City Manager explained the enclosed item with a review of what the issues have been up until this point, the concerns from neighbors and added that Jon Jennings, Assistant City Manger who has been working with the committee would introduce members and present their findings and recommendations.

Jon Jennings, Assistant City Manager explained that with that direction of the City Manager, a Knightville Traffic and Parking Committee was established in August, 2014. The committee was comprised of both residents and business owners with the task of meeting to discuss issues and

possible solutions to traffic and parking issues relating to Knightville. The first meeting was held on August 19, 2014. A total of five meetings were held with the committee and city staff attending. A list of committee members and city staff is included. From the outset, the vast majority of the committee members worked in a collaborative fashion. It was important to give everyone adequate time to voice their concerns and issues. The first three meetings were designed to give enough time for all members to discuss their opinions and offer possible solutions. The final two meetings focused on achievable solutions within the scope of the committee with a defined list of recommendations developed for presentation to the City Council. The principal issues, but not exclusive, as defined by the Committee are as follows:

1. Concern about one-way traffic on Ocean Street between D and E and the impact it has had on increased traffic on D Street.
2. Employee parking on the lettered streets throughout the entire neighborhood.
3. Concern about the flow and volume of truck traffic.
4. Adequate signage for safety.
5. Parking needs for future growth of the neighborhood.

There may be some discontent expressed by a few committee members as to the process of the committee. It was my opinion that all committee members and staff had their voices heard and not one particular viewpoint be considered to be the consensus of the committee.

Recommendations

1. Comprehensive Knightville Traffic Study that takes a global look at all issues and includes scenarios of future growth that could impact the neighborhood. The majority of the committee felt this very important to understand the real impact of traffic in the neighborhood.
2. New and Improved Snow plowing and removal plan as developed by the Public Works Department. The Public Works Department has developed a new plan for Knightville and has worked well to date.
3. The addition of 32 new parking spaces on Waterman Drive for employee and resident use. These spaces were constructed in October/November of 2014. In addition, the City will create a pathway through Legere Park to accommodate anyone parking who wants to walk through the park.
4. A winter parking ban exemption for the additional parking on Waterman Drive for residents with restrictions that allow for plowing and employee use. The suggestion is that Knightville residents be able to use the Waterman Drive parking for overnight parking until 6:00 am with employee parking for businesses or others beginning at 7:00 am.
5. New Stop Sign at the corner of Ocean and D Street. This has slowed the traffic making the left turn on to D Street. The sign was installed in August with permission from Chief Googins. The sign has been effective according to area residents and business owners.
6. Traffic Light changes at the bridge and Erskine Drive to shorten amount of time to turn left after 9:00 am. Tex Haeuser worked to make these changes and have been implemented.
7. A potential redesign of signage in Knightville. A consensus of the committee was that there are too many signs in Knightville. The recommendation is to look at other ways to display the signage that is needed.
9. The reduction of truck traffic on D Street with Legion Square Market directing exiting trucks to Ocean. Much of this has been implemented by the owner of Legion Square Market. Thanks to his efforts there has been approximately a 50% reduction in truck traffic on D Street by preventing a left turn from the Legion Square Market parking lot.
10. The effort by 72 Ocean to make interior parking one way to the C Street side of the building. This is an ongoing effort by the residents of the building.
11. GPS Updates to maps and better signage to prevent trucks and others from getting lost in the area.

12. Speed limit signage on the letter streets.

There were many other suggestions or recommendations by the committee. Some committee members want to eliminate the one-way between D and E Street on Ocean. The consensus of the committee was to allow a comprehensive traffic study to take place that would inform any decision to change the directional patterns on Ocean.

Other ideas put forward were to eliminate parking on one side of D Street during the winter months. After much discussion, this idea was eliminated from the list of recommendations until an assessment can be made of snow removal on D Street. Some members suggested resident parking stickers and parking enforcement of a defined amount of time such as one or two hour parking on the lettered streets. Other ideas were put forward and may be expressed by residents and businesses during the City Council workshop.

Overall, he was quite pleased by the cooperative nature of the vast majority of the committee. All opinions or suggestions were discussed and debated in a respectful and collegial way.

Committee Members

Alan Cardinal
Mike Drinan
Bill Dunnigan
Norris Eastman
Eva Goetz
Caroline Hendry
Annette Holmes
Sarah Kim
Phil Notis
Bob O'Brien
Linda Slater
Buzzy Trusiani
Joe Walker
Melanie Wiker

City Staff

Jon Jennings
Tex Haeuser
Mark Lorello
Frank Clark

Public Comment Opened:

Mike Drinan, Market Place owner as well as other real estate owner had circulated a petition on the traffic flow issues and have 300 signatures so far he would like to submit this to the City Clerk.

Melanie Wiker 71 D Street is on the committee and felt that a traffic study for sure needs to be done and should have been done. She had concern with the round-a-bout area, D and E Streets as well as involving others including the peninsula area.

James Serera 10 D Street had concern on signage, his street being a dead end and agreed with the need for a traffic study.

Peter Robins 10 D Street felt that if people had to walk they would not want to stop and shop, and those emergency vehicles may have issues going down D Street. Further discussed signage for pattern flow.

Kathy Hegan 3 D Street was in favor of a traffic study for this area and agreed that all districts should be involved and also in favor of the one-way change.

Bill Dunnigan CIA Café and 72 Ocean Street felt that the change was not good and did also support a traffic study.

Joe Walker 68 D Street was also in favor of a traffic study.

Caroline Hendry B Street was in support of a traffic study and not against angled parking. She further discussed 2-way Street, division and Waterman Driving having a “promenade” look to it and had concern with parking not having visual attractiveness.

Russ Lunt Brigham Street was in support of a traffic study.

Barbara Sikos Harbor Place asked if they could have an independent firm do the Traffic Study and felt that there are more tractor trailers since the one-way began and would like that changed as she was not in favor of the one-way.

Bob Obrien Noyes, Hall & Allen Insurance and also a committee member felt that the group did well balancing the different members and making solid recommendations.

Alan Cardinal Legion Square Market discussed traffic changes and apologized for the change in the truck schedules.

Paul Trusiani Ocean Street felt that this would not be an easy fix, and agreed with the traffic study and continuing on with work on the plan.

Public Comment Closed

Councilor Morgan asked about the cost of the proposed traffic study and wondered if this would come from CDBG funds? He was in favor of the study.

Jim Gailey added that he had no basis on the cost yet and yes it would come form CDBG funding.

Councilor Beecher felt that it was nice to see all of the public here again and thanked the committee members as well as Jon Jennings for their work on this item. She felt that studies are wonderful but you can't please all of the people as some may feel indifferent about it.

Councilor Blake thanked all who helped on this committee and was supportive of their work. He felt the need to continue this work and asked if any funding could come from PACTS? (No, too short of notice) He discussed the area being dense, and parking always being an issue. He urged the group to stay together, to reach out to others and felt the need to work on this as well as other things.

Councilor Smith discussed having a Traffic Engineer look at this and would like to understand the scope of the study. She asked about MDOT or if it would be someone different. She asked about the study and long-term thinking as well. Further discussed the recommendations, winter parking bans and looking at sooner according to the issue and timing.

Councilor Fox had concern with what would be in the study and asked if the committee would meet with the person who will do the study to see what they would do.

Jim Gailey added that they would meet with staff to gather information which would be included in the study.

Councilor Linscott asked about accidents and if there were any recent crash data reported on this area? She further discussed angled parking and traffic issues.

Chief Googins added that he had met with the fire chief and had no reports recently. He felt that the roads can be narrow and asked about limiting parking to one side of the street, he asked about

parking on Waterman Drive and if was ok to park there, and had concern about this area. He felt that there were big changes, positive things and it to continue with this process is great.

Councilor Blake he was ok with the Waterman Drive parking, and added that other items on the list should be involved in the study to be looked at.

Jon Jennings discussed the traffic study and would like to look at the list of recommendations to work on piece by piece and added that some of these the committee can do and others City Council would need to approve first.

Mayor Cohen asked about GPS control over this area and thanked all committee members for work being done here. She loves this area and what has gone on and changed here over the years from slowing down after the change in bridge locations and now having it be a busy, vibrant area, we will do the best that we can. She further discussed Waterman Drive parking and was ok with that but had concern with overnight and needing to move vehicles by 6:00 a.m. She discussed the study, parking and winter issues and was happy to be moving forward and keeping all involved.

Councilor Blake asked about other City lots and wondered if we allow people to use these for parking overnight? (No this would be the first of its kind) and added that they may need to look at this closer and possibly with other neighborhoods.

3. Review of Upcoming Workshops: Jim Gailey, City Manager explained that this item was brought forward to discuss upcoming City Council Workshops. This discussion is done on a monthly basis.

Public Comment Opened: No comments

Councilor Fox discussed the idea of a minimum wage increase in south Portland and would like to see this added on the future list.

Councilor Smith liked this idea and felt that it could be on the agenda with the item Financial Assurity.

Councilor Linscott agreed with this as well.

Councilor Morgan discussed emergency services, training for folks city wide and having Police & Fire personnel for this.

Councilor Blake felt the need to separate them on the workshop agenda.

Jim Gailey agreed to separate Fire & Police, discussed preliminary work being done and reaching out to MMA.

Councilor Linscott asked about the workshop with the School Board on Wednesday and as this is for budget guidance asked about having another meeting as well.

Discussion ensued on concerns about news coming down from Augusta and the need for guidance from the City Council on what and how to proceed.

Jim Gailey discussed the need for guidance on percentage and meeting with them in a few weeks again in February as it is hard to see what is proposed for the next two years and how to proceed once this information is given out.

Councilor Morgan agree with the need for guidance as well as understanding on how this will go and felt the need for direction and help from Mr. Gailey.

Councilor Smith asked about plans over the next several years on fixed costs, roll over, etc.

Upcoming Workshop Agenda Items & Dates:

February 9 –

- Waterfront Advisory Committee

- Air Monitoring – Invite Delegation
- Review of Upcoming Workshops

February 23 –

- Discussion of Main/Westbrook Street City Property
- Fire Personnel Update

The City Council Workshop Adjourned at 8:15 p.m.