



Memorandum

Planning and Urban Development Department

Planning Division

To: Chair Boepple and Members of the Portland Planning Board

From: Nell Donaldson, Planning Division

Date: August 8, 2017

Re: MMC request for IOZ designation - Final Draft Institutional Development Plan (IDP) and Regulatory Framework

Applicant: Maine Medical Center (MMC)

I. INTRODUCTION

Maine Medical Center (MMC) has requested a final review of their draft 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. MMC submitted a final draft IDP on Friday, August 4, following approval by their Board of Trustees. This draft involved collaboration with staff and neighborhood representatives, and represents a substantial effort and significant progress from the initial draft submitted in April. Given the timing of this submittal, however, Planning Division staff have not yet fully reviewed the draft. MMC and staff feel that it would be productive to use the August 8 workshop to present the revised IDP and Regulatory Framework to the Planning Board. A complete review of the IDP and Regulatory Framework is anticipated following the workshop.

II. BACKGROUND

A. *Staff and Planning Board Review to Date*

The Planning Board has held three 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
- **Construction Management**, including critical principles that should be carried through all MMC construction projects to ensure that potential neighborhood impacts are addressed

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 PC-1- PC-22*). Staff has received several additional comments during the MMC IOZ process (*Attachments PC-1 MMC-IOZ – PC-7 MMC-IOZ*). These public comments have covered a number of issues, but a clear theme is how the scale and location of the MMC expansion affects the integrity of the local neighborhood, and how to minimize this potential impact through the IOZ and Regulatory Framework. The St. John Valley Neighborhood Association comments (*Attachment PC-7 MMC-IOZ*) reflect broadly-held concerns regarding the proposed height of buildings, the proposed IOZ boundaries, potential construction impacts, and building design and transitions. Two comments

have been received since the June workshop (*Attachments PC-8 MMC-IOZ and PC-9 MMC-IOZ*), both expressing concerns about the proposed IOZ boundaries and the IDP's treatment of transportation, TDM, and design.

III. AREAS OF OUTSTANDING REVIEW

Staff will conduct a complete review of the IDP and Regulatory Framework against the standards of the Institutional Overlay Zone ordinance following the August 8 workshop. This review will incorporate staff from the Department of Public Works, Historic Preservation, Parks and Recreation, and Transportation.

Based on a cursory preliminary review, the following areas are likely to require further discussion:

- A. Transportation:** *The IOZ ordinance requires that an IDP include “an analysis of the projected changes [associated with anticipated growth] in vehicular, pedestrian, transit, and bicycle routes and facilities, their capacity, and safety” and that an IDP “[d]emonstrate 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.”*

Over the course of the IDP review, staff has met several times with MMC representatives to broadly discuss potential traffic and parking impacts associated with the development plans presented in the IDP, acknowledging that much of the transportation analysis relied heavily on decisions regarding the siting of parking garage elements of the plan. Now that a decision has been made to locate a new garage on St. John St., additional review of the traffic analysis will be required, and additional discussion of the transportation plan is anticipated. MMC will submit their traffic analysis for city review in the near future. In addition, staff anticipates further discussion with MMC to clarify the TDM framework as a means of offsetting potential traffic and parking impacts, and additional discussion on transportation infrastructure around the campus as well.

- B. Design:** *According to the IOZ ordinance, the IDP should “reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric” and “promote compatibility with existing and future uses in adjacent neighborhoods.”*

Over the course of the review, staff and MMC have engaged in substantial discussions on design, both in terms of content and regulatory approach. Areas of further discussion are likely to include the Regulatory Framework's quantification of agreed heights on Congress Street and the ways in which the proposed design guidelines address building orientation to Congress Street, the intent limiting stand alone structured parking facing Congress Street between Gilman St. and St. John, and visual transparency on all floors. The city has held that the design guidelines should allow for future design review of proposed MMC buildings in terms of a building's relationship to the street, massing, roof forms, proportion, facade composition, materials, and articulation - especially in relationship to the streetscape(s) of which it is a part (as well as the MMC campus).

- C. Neighborhood Engagement:** *The IOZ ordinance requires that an IDP “[i]ncorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.”*

Throughout the review of the IDP, MMC's approach to ongoing public engagement has arisen as a topic of discussion, with review comments emphasizing the need to expand beyond the current approach mandated by the hospital's existing CZA. The approach proposed in the most recent draft reflects many of the elements that have been discussed over the course of the review,

including better articulation of MMC as a member of its neighborhoods and more clarity about neighborhood engagement approaches going forward. Additional discussion may occur on neighborhood engagement based on board and stakeholder input, but staff feels that most of the substantive structural elements of the neighborhood engagement approach have been described sufficiently to provide a clear path forward and frame expectations.

- D. Impacts on the Public Realm:** *The IOZ ordinance requires that the IDP “[a]nticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure.”*

The final draft IDP broadly demonstrates that MMC’s future development will impact the city’s infrastructure, including its transportation networks, stormwater and sewer systems, and open spaces. Staff has suggested language in the Regulatory Framework that requires mitigation of potential impacts to this infrastructure under site plan review, with reference to specific impacts and to the fact that mitigation may include financial or in-kind contributions. Additional discussion on both the nature of potential impacts and the regulatory language used to address them is anticipated.

- E. Monitoring and Updates:** *The IOZ ordinance requires that the IDP establish a schedule for reporting on implementation and that the Regulatory Framework include a schedule for amendments.*

Staff has engaged with MMC regarding ways to frame a schedule for reporting and for updates, emphasizing the importance of regular reports on implementation and that the IDP should be “updated” as conditions change and MMC’s vision evolves. The final draft Regulatory Framework reflects discussions regarding the monitoring aspect, but is silent regarding amendments. Staff had suggested thresholds for IDP amendments and further discussion is anticipated.

Note that the full review will address additional review standards established by the Institutional Overlay Zone ordinance.

IV. ATTACHMENTS

Report Attachments

1. IOZ Ordinance as approved by City Council
2. Staff comments on First Draft IDP (5.2.17)

Public Comments

- PC-1 - PC-22 - Public Comments from IOZ Ordinance review
- PC-1 MMC-IOZ – St. John Valley Neighborhood Association (4.18.17)
- PC-2 MMC-IOZ – C. Milneil (4.25.17)
- PC-3 MMC-IOZ – WPNA A. Pringle (4.25.17)
- PC-4 MMC-IOZ – C. Milneil (4.27.17)
- PC-5 MMC-IOZ – K. Snyder (5.9.17)
- PC-6 MMC-IOZ – PBPAC (5.15.17)
- PC-7 MMC-IOZ – St. John Valley Neigh. Assoc. (5.23.17)
- PC-8 MMC-IOZ – M. Sabina (8.1.17)
- PC-9 MMC-IOZ – Z. Barowitz (8.6.17)

Applicant’s Submittals

- A. MMC Final Draft IDP (8.4.17)