

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

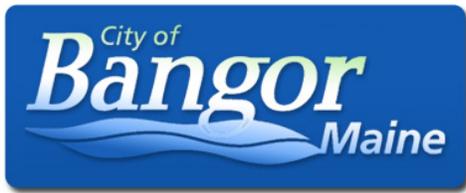
Monday, July 25, 2016 @ 5:15 P.M.

City Council Chambers

AGENDA

1. Update on Request for Public Space Use – 28 Broad Street Sidewalk (see attached Memo, Historic Preservation Commission Application, & Memo to HPC from Mike Pullen)
2. Amendment to the Lease Agreement with QV Realty Trust (see attached Memo)
3. Extension of Lease Agreement with Vicki L. Trundy (see attached Memo)
4. Parking Spaces at 128 Main Street (see attached Memo)

MEMORANDUM



TO: Business & Economic Development Committee
FROM: Tanya Emery
DATE: July 15, 2016

Update on Request for Public Space Use – 28 Broad Street Sidewalk (Map-Lot 042-196)

Roy Hubbard, one of the partners in the redevelopment of 28 Broad Street, approached the City and gained BED committee approval in June 2016 to fence off a portion of the sidewalk space in front of the property to address privacy and security concerns for the first floor residences. The committee voted in favor of the use, pending approval of the Historic Preservation Commission and satisfaction of other terms and conditions.

The Historic Preservation Commission considered the application at their July 14, 2016 meeting. The HPC had a number of concerns with the application, and, as often happens when it appears an application will fail to receive approval, the applicant withdrew the application with the intention of resubmitting in the future with additional/different information.

The primary concerns of the HPC were:

1. The lack of information about gates in the fence, creating the potential for the failure to provide safe escape in an emergency.
2. The danger of setting a precedent of keeping people away from historically commercial spaces.
3. The use is not inviting; outdoor seating for restaurants invites people in to sit, but this fence tells people to keep out.
4. Photos provided showed a 4' area, not the 2' area the committee agreed to.
5. The application did not indicate whether the fence was fixed or moveable; temporary or permanent.
6. Mike Pullen, AIA, Advisory Consultant to the Historic Preservation Commission, stated in his memo: "In my opinion, this fence barricade would have a negative visual impact on the distinguishing qualities of this historic downtown storefront and its immediate environment (West Market Square)."
7. Mr. Pullen also cites Standard 148-13.E(1)a. which states: "Every effort shall be made to provide a compatible use which will require minimum alteration to the structure and its environment'. The commercial storefront of this and other downtown buildings typically feature broad expanses of display glass and recessed doors to provide an inviting entrance to shoppers. Other, non-compatible uses of these ground-level storefronts will likely generate inappropriate alterations to the environment."

Based on the concerns of the Historic Preservation Commission and their Advisory Consultant, staff seeks further guidance regarding the wishes of the BED Committee.

pd ck# 136
\$55.00

8 COLOR COPIES OF THIS COMPLETED APPLICATION MUST BE SUBMITTED AT TIME OF APPLICATION ALONG WITH APPROPRIATE FEE

RECEIVED

JUL 01 2016

Certificate of Appropriateness

Design Review

C & ED and Planning

Applicant Roy Hubbard
Address 28 Columbia Street Apt 3
Location of Site 28 Broad Street Bangor, Me
Owners of Site, if different from Applicant _____
Address _____

Permit No. _____
Phone No. 860-326-6065
Zone DD (H)(F)
Map 42 Lot 196

Description of Applicant's Interest in Site, if not owner (e.g. lease, option, P&S Agreement): _____

1. Identify the action or actions requiring the Certificate of Appropriateness

- a. Addition
- b. Reconstruction
- c. Alteration
- d. Removal of trim, elements, facing materials, or parts of building
- e. Sign
- f. New construction
- g. Moving of building
- h. Improvements to walkways, driveways, or landscape features
- i. Demolition if structure or portion of structure

2. Describe the nature of the proposed work:

3. If you checked 1a. (addition), 1b. (reconstruction), 1c. (alteration), or 1d. (removal of trim, etc.):

A. Indicate which of the following will be affected by the project:
 roof exterior woodwork siding windows exterior doors other

B. How will the work be done:
 removal of existing element/material with new kind of material
 repair in kind, matching original feature
 repair in kind, approximating original feature

4. Please provide the following supplemental materials (Please Note: this application cannot be processed without these materials):

- A. A description and samples of the materials which will be used. The description must include and information concerning finishes.
- B. Photographs of the buildings marked to indicate the location of the proposed project or sign. One of the photographs should be a photograph of the entire building.
- C. A scale drawing of the project or elements to be changed. If the project is an addition or new construction, then the applicant must submit architectural plans drawn to scale and a site plan showing the building in relation to adjacent buildings. If the project is an improvement or change to existing exterior features, then the applicant must submit a site plan which includes the buildings and exterior features as they now exist, adjacent buildings, and proposed alterations.
- D. Sign applications must include a scale drawing of the sign, color samples, and lettering samples.

Signature of Applicant/Agent [Signature] Date 6/29/16

Action Taken by the Historic Preservation Commission _____

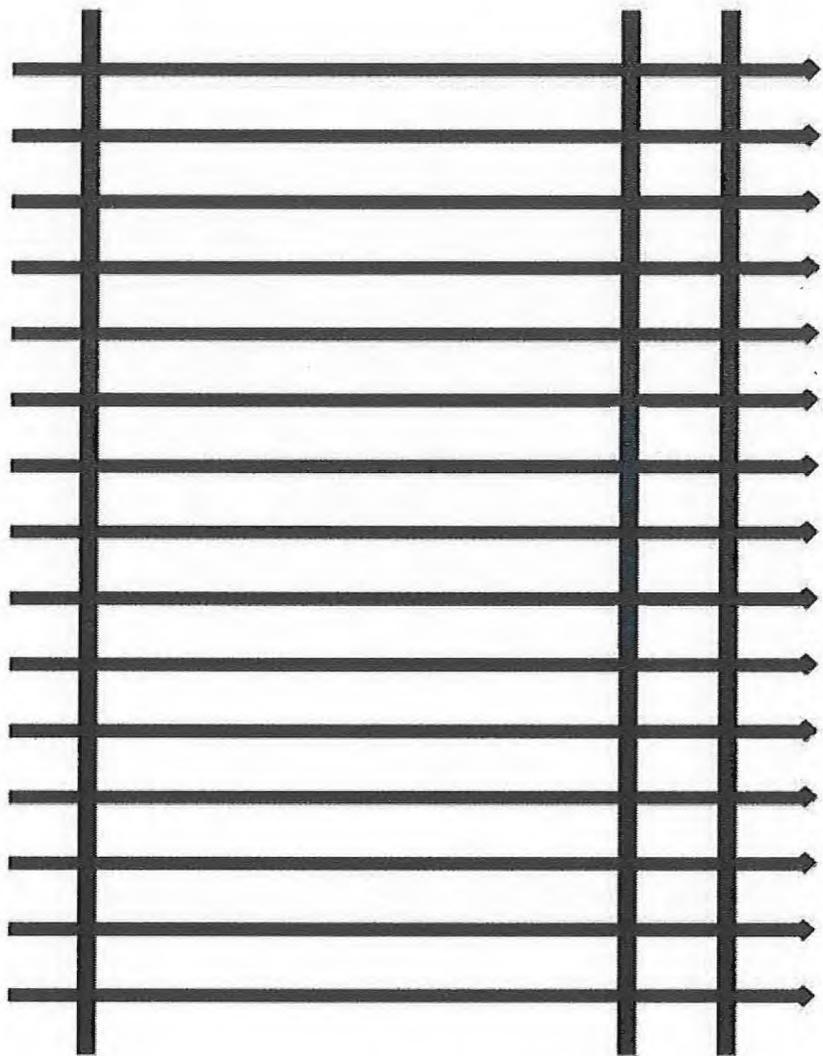
Bangor Historic Preservation Commission Application

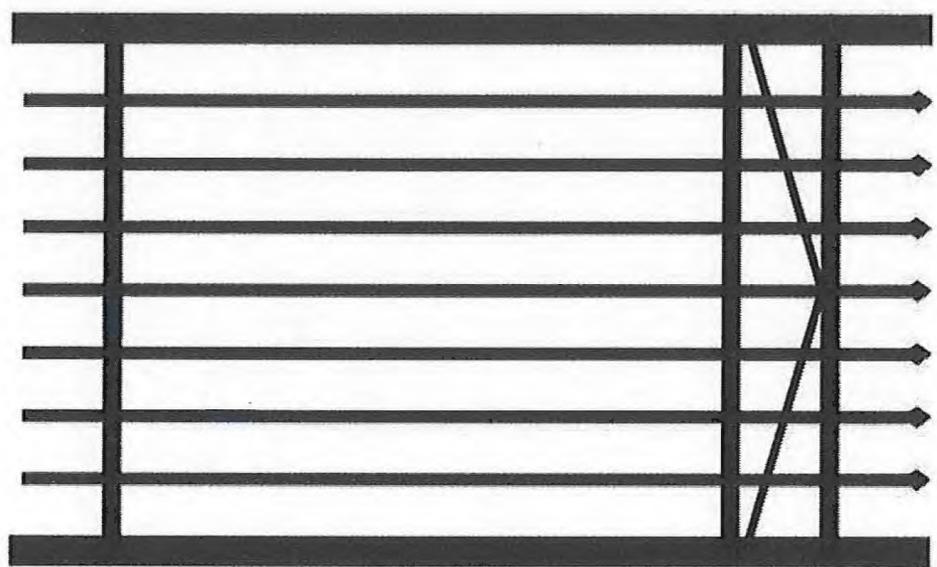
1. Describe the nature of the proposed work

Erect fencing around the front of 28 broad street. The fencing will run 2 feet out and 90 feet across the entire front of the building. The location of fencing is shown in picture number 4.

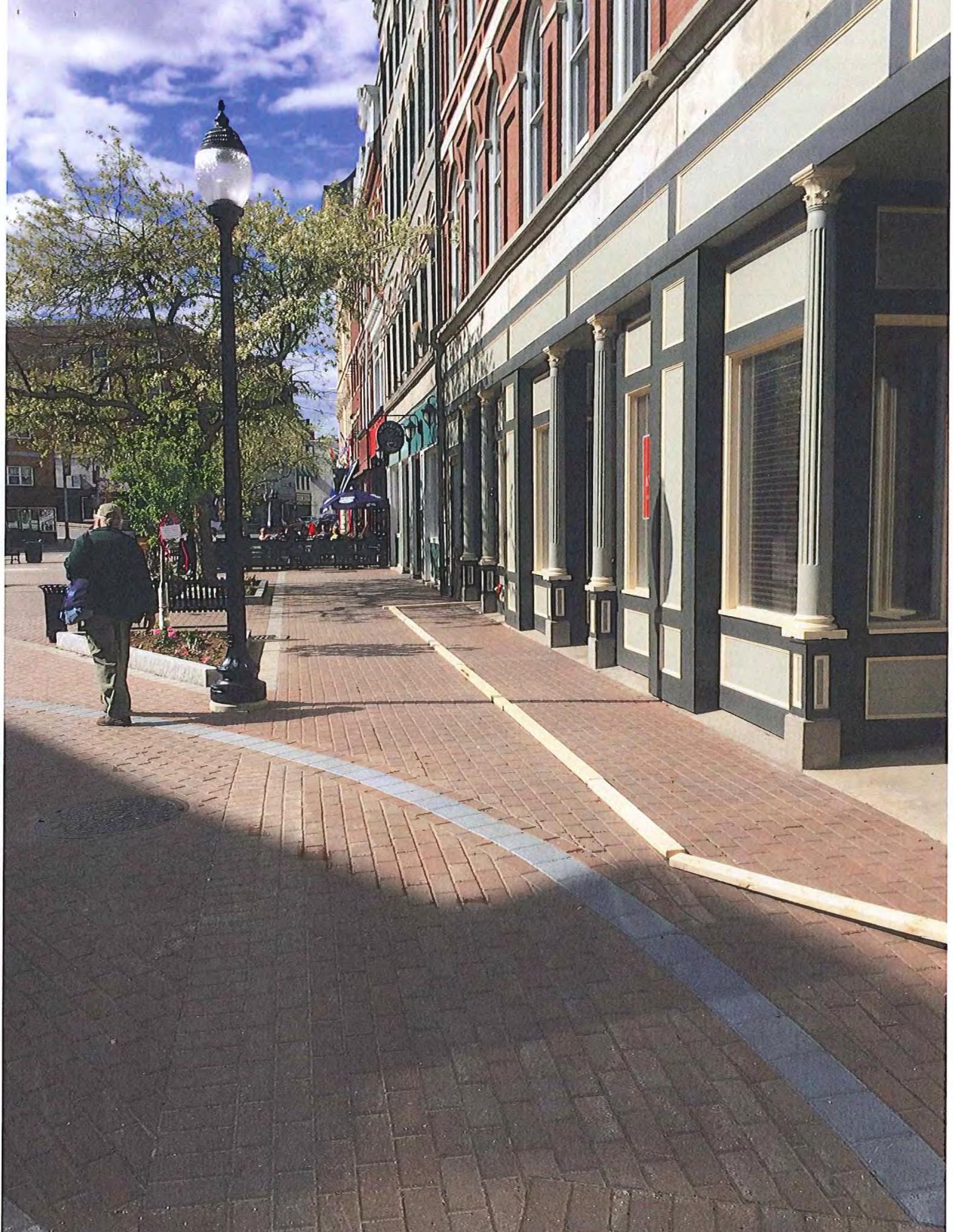
2. Descriptions of materials used.

Black aluminum fencing shown in pictures labeled 1,2 and 3.
Samples to be brought.









**HISTORIC PRESERVATION COMMISSION
CITY OF BANGOR, MAINE**

TO: Chair & Members of the Bangor Historic Preservation Commission
FROM: Mike Pullen, AIA, Advisory Consultant to the Historic Preservation Commission
DATE: 7/6/16

RE: APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS & DESIGN REVIEW
CONSULTANT COMMENTS

Location: 28 Broad Street
Applicant: Roy Hubbard
Building Owner: Roy Hubbard

INTRODUCTION TO THE APPLICATION

District: West Market Historic District
Nature of Project: Install a continuous aluminum picket fence 2' off the 90' wide building front to close off the entire front of the building.

APPLICABLE SECTIONS OF THE LAND USE CODE

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
148-13.E(1) a-h	Standards for alterations of existing buildings...	Alterations
148-13.E.(2)	Guidelines for Applying Sec. of the Interior's Standards for Rehabilitation...	Alterations
Chapter 71-11	Standards of Review	Alterations

Findings of Fact:

According to the application received 7/1/16, the applicant seeks approval to:
Install a continuous aluminum picket fence 2' off the 90' wide building front to close off the entire front of the building.

ADVISORY CONSULTANT COMMENTS: HISTORIC PRESERVATION (§148)
AND DESIGN REVIEW (§71)

Based on the information contained in the application, the advisory consultant recommends that the Commission determine and consider the following:

- The applicant needs to provide information on the height of the picket fence, and methods of anchorage. Also, if gates are intended, where are they located?
- The idea of walling off storefronts from public access has no precedent in downtown Bangor. Commercial storefronts are intended to be open and visible for the display of merchandise or services, and to draw passers-by into the business. In select areas of the downtown, a few restaurants have installed movable or fixed low barricades to keep seating areas from spilling onto adjacent walks. This applicant's proposed fence barricade would have a very different visual than those existing.
- Standard 148-13.E(1) a. states; *"Every effort shall be made to provide a compatible use which will require minimum alteration to the structure and its environment"*. The commercial storefront of this and other downtown buildings typically feature broad expanses of display glass and recessed doors to provide an inviting entrance to shoppers. Other, non-compatible uses of these ground-level storefronts will likely generate inappropriate alterations to the environment.
- Standards 148-13.E(1) b. and 71-11.B state; *"Rehabilitation work shall not destroy the distinguishing qualities nor character of the structure (or building) and its environment..."* Distinguishing qualities of Bangor's downtown commercial storefronts include their open, inviting display windows and recessed entrances.

In my opinion, this fence barricade would have a negative visual impact on the distinguishing qualities of this historic downtown storefront and its immediate environment (West Market Square).



PROPERTY MANAGEMENT & DEVELOPMENT

- Operator of Foreign Trade Zone No. 58
- Operator of the Bangor International Enterprise Center

Memorandum

To: Members of the Business & Economic Development Committee
From: Stephen A. Bolduc, Executive Manager
Date: July 25, 2016
Subject: Amendment to the Lease Agreement with QV Realty Trust

Issue

QV Realty Trust has exercised its option to extend the Indenture of Lease for Lot 9 in the BIA Commercial / Industrial Park located at 361 Griffin Rd. for ten (10) years, August 1, 2016 to July 31, 2026. The lease agreement requires that the annual rental amount be negotiated for that period.

Background

The annual lease amount during the past five years has been \$27,204 for the 3.67 acre parcel.

I have proposed that the annual lease amount during the first five years of the term remain at the current rate of \$27,204 annually paid monthly in the amount of \$2,267. During the second five (5) years of the term, from 2021 to 2026, the annual rate would be increased by 5% to \$28,564 paid monthly in the amount of \$2,380.

Recommendation

The staff recommends approval of the amendment to the lease agreement under the terms and conditions outlined above.

Memorandum

To: Members of the Business & Economic Development Committee
From: Stephen A. Bolduc, Executive Manager
Date: July 25, 2016
Subject: Extension of Lease Agreement with Vicki L. Trundy, LCSW

Issue

Vicki L. Trundy, LCSW wishes to extend a lease of a single office at 39 Florida Ave., Bangor for operation of a counseling business. Hannaford Bros. occupies the remainder of the office building. Ms. Trundy has leased the office since 2006 and has accepted the terms of this proposed agreement.

Premises:

- a) Office J at 39 Florida Ave. 155 sq. ft.
- b) Shared use of the building's common areas with the other tenant.
- c) Right to use the driveway, use of one (1) parking space and use of the parking area in the rear of 39 Florida Ave.

Term: One (1) year, from September 1, 2016 to August 31, 2017.

Rate: \$176.75 per month

Use: The premises will be used as a business office and for no other purposes without the consent of the City of Bangor.

Utilities: The City of Bangor will provide utilities furnished to the premises as listed: electricity, fuel oil, natural gas, storm water fees and water and sewer user fees.

Maintenance: The City of Bangor will be responsible for all maintenance of interior and exterior portions of the building. Hannaford Bros. Co. will be responsible for the cleaning of the common areas. The tenant is responsible for cleaning the rented office.

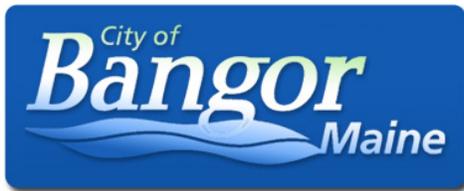
Taxes: Property taxes are the responsibility of the City of Bangor.

Insurance: The tenant will provide public and property damage liability insurance.

Recommendation

Staff recommends approval of this lease agreement under the terms and conditions outlined above.

MEMORANDUM



TO: Business & Economic Development Committee
FROM: Tyler Collins
DATE: July 19, 2016

Parking Spaces at 128 Main Street

During the Union Street Bridge repair a couple of years ago, two parking spaces in front of 128 Main St. (Zen Asian Bistro) were temporarily eliminated to allow more room for queuing in the right turn lane onto Water St. (see below). This helped to alleviate congestion issues at the Main/Union intersection.

Those two spaces have since been re-painted, but the right turn lane still appears on the pavement as well. It has been observed that when a car is parked in either one of those spaces, it makes the right turn lane virtually unusable which leads to lengthy queuing and on-going congestions issues at Main and Union.

Staff has discussed the issue with Public Works and Engineering and would recommend the elimination of both parking spaces 118 and 119, and restoration of the right turn only lane. This would allow for the right turn lane to be utilized as intended and will help with congestion issues at the top of the hill.

Staff is seeking approval from this Committee.

