



BOARD OF DIRECTORS

May 10, 2013

To Whom It May Concern:

At the Creative Portland Board of Director’s meeting on August 1, 2012, the board voted on the following motion:

Creative Portland supports the concept of a new building of the appropriate size with an acceptable ratio of building size to plaza size based on minimum standards set forth by the New York City ordinance on public/private spaces. Creative Portland values the economic development opportunity offered by Rockbridge, the potential to bring activity to the Arts District, and encourages a compromise to be found to balance a quality public space with a new building. Creative Portland also recognizes the critical importance and public role that public space plays in keeping Portland a vibrant and welcoming place for everyone. While this resolution endorses the concepts as stated, Creative Portland also wants to state clearly that any new or existing public spaces are to be designed for and used by people across the socio-economic spectrum.

This motion was passed by a vote of 10 to 4 with two abstentions. The Creative Portland Board meets on a bimonthly basis, and has not had the opportunity to convene to confirm its position on the latest proposal. However, because the current proposal meets, though barely, the minimum standards of the New York City ordinance on public/private spaces, and because we felt that the economic benefits that the development will bring to the Arts District are of significant value, Creative Portland wishes to express its support for the development of a convention center on a portion of Congress Square Park and the redevelopment of the remainder of the park to high quality public space for use by people across the socio-economic spectrum. We will direct our representative, Peter Bass, to vote in such a way as to convey these sentiments.

Andrew Graham  
President, Board of Directors  
Creative Portland

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May 3, 2013

Councilor Nick Mavodones, Chair, Housing & Community Development Committee  
Councilor John Coyne, Vice-Chair  
Councilor Kevin Donoghue, Committee Member  
Councilor Ed Suslovic, Committee Member  
City of Portland  
389 Congress Street  
Portland, ME 04101

Dear Nick, John, Kevin and Ed:

Greater Portland Landmarks has actively participated in the discussions of the future of Congress Square Plaza. We believe there is universal agreement that something needs to be done to revitalize this important community space.

There is great potential for Congress Square Plaza to be creatively redesigned as a high-quality public open space. At the same time, a smaller well-designed open space could provide many of the public amenities desired by citizens, and also include a building, as Congress Square Plaza has been the site of buildings in the past.

Recently the developers and the architect for the Westin/Harborview (Eastland) Hotel met with our Public Issues Committee to show us the schematic design for a proposed special function room on a portion of Congress Square Plaza. We also heard an alternative point of view from a community member who participated in many of the deliberations about the future of the Plaza.

The discussion informed and reinforced our view that it is essential to consider the Hotel proposal for the Plaza in light of the entire context of Congress Square. This context includes the street intersection and sidewalks, potential future changes to the streets including their configuration and direction of traffic, and nearby buildings and open spaces.

The “fast track” schedule for a decision on the Hotel’s proposal does not provide adequate time to study the context and weigh alternatives that will best serve the public interest. The citizen group that has been reviewing the Plaza for the past few years is already in place to consider the whole picture of the Square, and the funding already allocated can be used for this purpose.

Coincidentally, architect Henry Cobb, who designed the Portland Museum of Art's Payson Building, and has studied the Square as part of the museum design will be in Portland on June 18 to lecture on the streets and squares of Portland. This is a great opportunity to benefit from his knowledge of the Square and of urban contexts throughout the United States.

Whatever the solution proposed for Congress Square Plaza, it needs to be of a quality, sensitivity, and integrity to fit into a context with highly-significant architecture including the State Theater, the Portland Museum of Art complex, and the Congress Street Historic District.

The terms and parameters of any potential public/private partnership to redevelop Congress Square Plaza need to be clearly defined to assure that the City's long-term goals and the overall public interest are best served. Public and private entities involved in redeveloping the Plaza must invest in the design, construction, and maintenance of high-quality architecture and public open space. They also must commit to programming, maintenance, security, and ongoing investment to assure the long-term viability of the project.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Hilary Bassett". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Hilary Bassett  
Executive Director

cc: Mayor Michael Brennan, Jill Duson, Cheryl Leeman, David Marshall, John Anton, City Manager Mark Rees, Jeff Levine, Alex Jaegerman, Deb Andrews

### **Landmarks talking points (3rd Draft)**

- (1) Greater Portland Landmarks believes that a well-designed building and adjacent plaza could be successful at the Congress Square Plaza site. However, in examining the latest concept plan for a building prepared by the developers, we think the plan does not achieve the balance needed to serve the best interests of the public. Two main concerns are: 1) the main function room is 3 feet below grade, and therefore cannot truly address the plaza functionally or physically; and 2) there is no clear definition of how the interior and exterior spaces could work to complement each other to engage the public realm.
- (2) The design process for the Square is currently being led by the hotel developer at the request of the city. As much consideration should be given to the function, aesthetics, materials and operation of the Plaza as the hotel addition.
- (3) Any proposed solution for Congress Square Plaza needs to be of a quality, sensitivity, and integrity to fit into a context with highly-significant architecture including the State Theater, the Portland Museum of Art complex, and the Congress Street Historic District.
- (4) We urge the City to dedicate the time and resources required to study the entire context of Congress Square and to weigh alternatives that are in the public interest. This context includes the street intersection and sidewalks, potential future changes to the streets including their configuration and direction of traffic, and nearby buildings and open spaces. The citizen group that has been reviewing the Plaza for the past few years is already in place to consider the whole picture of the Square, and the funding already allocated can be used for this purpose.
- (5) We recently learned that there are not immediate deadlines for a decision on the Hotel's proposal. That should allow more time to engage in a more intensive process to address the Square as a whole and the plaza itself.
- (6) Discussions exploring the potential for a public/private partnership to redevelop the Square should continue, with the requirement that any design must fit with a master plan for the entire Square, to be developed concurrently.
- (7) Any design for the Square, whether plaza or building, must be reviewed by the Historic Preservation Board and Planning Board. In addition to their required review standards, both boards should consider whether the final plan will result in a creatively redesigned, high quality public open space in which the structure and the plaza enhance each other.
- (8) If the City decides to proceed further with this proposal, we encourage consideration of a long-term ground lease, so that long-term ownership remains in the City's hands.
- (9) We are especially interested in the plans for the Union Station Clock, and if there might be a way to integrate it into the site in some way, or some highly visible and accessible other public space.

**Caitlin Cameron - Re: CSRSG - position statements**

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**From:** Frank Turek <turekfrank@gmail.com>  
**To:** Caitlin Cameron <CCameron@portlandmaine.gov>  
**Date:** 5/24/2013 4:57 AM  
**Subject:** Re: CSRSG - position statements  
**CC:** Emma Holder <pna@parksideneighborhood.org>

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Hi Caitlin,

Thanks for this request for position statements.

The Parkside Neighborhood Association has made no changes or amendments to its statement submitted to the HCDC and CSRSG last July/August 2012.

The statement reads:

**"The Parkside Neighborhood Association (PNA) is against the sale of public open space to private parties. PNA believes that Congress Square is integral to the City as public space. We urge a collaboration between the City, PNA, and all other interested parties to work together to re-create Congress Square as a public space that benefits the citizens of Portland and the surrounding businesses. We also recognize the potential economic, tourist, recreational, and health value that this location has to all parties."**

regards,

Frank Turek  
Parkside Neighborhood Association, Treasurer  
and representative to the Congress Square Redesign Study Group.

On May 23, 2013, at 3:10 PM, Caitlin Cameron wrote:

Thank you all who were able to attend last night's meeting.

We received position statements from many of you prior to the meeting which will be posted on the Study Group's webpage.

For those who presented positions on Wednesday and have not, yet submitted a copy to us - please get a that to me so it can be added to the record and the webpage by the end of this week.

Thank you,

Caitlin

Caitlin Cameron, LEED AP, Associate AIA  
Urban Designer  
Planning & Urban Development Department  
City of Portland, Maine



## **Chamber Comment on Congress Square Plaza / Westin Plan**

Housing & Community Development Committee

May 24, 2013

On May 13 the Board of the Portland Community Chamber (PCC) voted to support the design and use proposed by the Westin. The PCC was one of the many groups that were visited during the development team's outreach efforts. While the presentation was impressive, the PCC was not a pushover. We supplied both honest criticism and praise, and challenged the developer to present its best possible project.

Subsequent to the presentation, the PCC Executive Committee on May 6 discussed the proposal at length, and voted to recommend endorsement by the full Board, which occurred on the 13<sup>th</sup>.

On May 22 we provided supportive testimony to the Congress Square Redesign Study Group. Tonight our support is stronger than ever, as the proposal has become stronger.

The PCC identified four broad and compelling reasons to endorse the plan.

The plan results in:

- 1. Vastly enhanced convention/conference capabilities for Portland**
- 2. A safer, cleaner streetscape**
- 3. A restoration of the parcel to the private tax rolls after a relatively brief hiatus of about 30 years**
- 4. A transformative influence on the Arts District and the entire downtown**

The PCC was particularly persuaded by the notion that what exists now is – and is likely to remain – a grossly wasted space.

Patrick Costin's presentation of architectural and urban design elements was persuasive in making the case that Congress Square needs an edge to restore the "urban room" that it is designed to be. It clearly reminds us that the square presently has a vast hole

or void on one side. It needs a building to restore that edge, and we neither expect nor want the city to build a fire barn or a school there.

The PCC, like everyone, values and appreciates open space and green space as essential amenities to the city we know and love. We were struck in Mr. Costin's presentation by the revelation that the peninsula has dozens of open spaces, including of course, the 55 acre Deering Oaks just down the street.

We were convinced that the proposed repurposing of the Plaza as a true plaza – not a park trying to be a plaza, and not a plaza trying to be a park – does indeed net us **less** open space, but it unequivocally nets us **better** open space.

In this case, less is more.

The PCC, like you, occasionally hears from someone in the development community expressing some impatience with what can be a tedious exercise: that is getting public input and feedback from our 65,000 "citizen planners." The level of public engagement in this town can lead to great projects, but it can cause some developers to pursue projects elsewhere.

This developer has done its diligence. The team has engaged the community. They have listened. They have adapted. We noted the refinement of an already good plan. What lies before you is not merely a \$50 million development project; it will be a signature Portland asset and enhancement of public property.

We are reminded that this proposal for the **Plaza** holds huge promise for the greater public goal: **redesign of the Square**, which is long overdue, and which has just had its \$50,000 budget doubled by the generous offer of Westin.

We are sometimes left feeling ambivalent in negotiated projects like this, feeling remorseful at the notion that we might have compromised too much. This plan removes that ambivalence.

If ever there was a win-win, this is it.

Yours truly

Chris O'Neil



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## PORTLAND DEVELOPMENT CORPORATION

Jack Lufkin, Board President

### MEMORANDUM

**To:** Housing and Community Development Committee (HCDC)  
Congress Square Redesign Study Group (CSRSG)

**From:** Jack Lufkin, Portland Development Corporation/Board President

**cc:** Portland Development Corporation Board of Directors  
Greg Mitchell, Economic Development Director

**Date:** May 20, 2013

**Re:** **Position Statement of the Portland Development Corporation Regarding Sale of a Portion of Congress Square**



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This memorandum will inform you of the Portland Development Corporation (PDC) Board of Directors position regarding the possible sale of a portion of Congress Square to support an event center expansion associated with the former Eastland Hotel which is under-going a substantial redevelopment.

On May 16<sup>th</sup>, the PDC Board received a presentation from Rockbridge Capital to hear about the possible hotel event center proposal. After the presentation and discussion, the PDC voted as follows, with comments noted therein:

- ***unanimously (8-0) to appoint the PDC President to serve as its representative on the Congress Square Redesign Study Group (CSRSG).*** It is noted that the PDC (formerly the Downtown Portland Corporation) per the attached City Council dated September 3, 2008 has a representative on the CSRSG and a past PDC President participated on the CSRSG.
- ***voted 6-0-2 (Mayor Brennan and Mark Rees abstaining) to recommend that the City move forward with a public-private partnership and the sale of a portion of Congress Square to Rockbridge Capital for an event center.*** The PDC Board vote recognized that the PDC Board does not have City development nor design regulatory authority and understood that if this sale and event center proceeds, that the City Planning and Historic Boards would be involved in their review of the event center project. In addition, the PDC Board noted that through the

development regulatory process, the public benefit aspects associated with the event center project should be clearly defined.

For your information, the PDC By-Laws recognize the general purposes of the PDC include supporting the city's economic development efforts that enhance and create business and employment opportunities including "making recommendations to the City Council with respect to, but not limited to, bond and tax increment financing, and the management, acquisition, disposal, and general land use of City of Portland property." (Section 2.1 General Purposes. C.)"



Lin Lisberger, Co-Chair  
Patricia Murtagh, Co-Chair  
James Cradock  
Terry DeWan  
Jere DeWaters  
Peggy Greenhut Golden  
Alison Hildreth  
Pandora LaCasse  
Jessica Lipton  
Councilor Dave Marshall  
Tony Muench

**Management & Administration**

Alexander Jaegerman,  
Planning Division Director

Edwige Charlot  
Program Assistant, Creative Portland

**PPAC Position on Rockbridge proposal to develop a portion of Congress Square Plaza:**

In 1979 the Urban Development Action Grant (UDAG) was used in part to create the Congress Square Plaza as it exists today. Congress Square Plaza was created as part of an important plaza network through the spine of the city, Congress Street. The Description of Proposed Project states:

The City of Portland further believes that the proposed urban plaza is necessary to provide the amenities needed for overall neighborhood rejuvenation. The proposed urban plaza conforms with the concept of providing pedestrian plazas at periodic intervals along the core's main street, Congress Street. It will also act as a "pole" to be an equal counterpart with Monument Square and thus, provide balance to the central core area. As such, the proposed plaza is not only appropriate but also necessary to stabilize the geographic center of the city's core.

This statement was reinforced in the Congress Street Historic District Designation Report.

The series of plazas along the Congress Street Corridor, serve to improve the quality of life in the city and Congress Square Plaza was intentionally created to add to this network.

In 1991, the City of Portland adopted the Arts District Plan as part of the Downtown Vision Plan. A key recommendation for the Arts District Plan is, "to firmly establish Congress Square as the heart of the Arts District through urban design, advertising and outdoor public events." The executive summary further states that a positive Urban Design of the Arts District should establish a progression toward Congress Square from all directions as well as establish the character and identity of the Arts District. The plan recognizes that the arts are an economic force that can and do revitalize communities. Since the adoption of the Arts District Plan, there has been a surge in economic development along the Congress Street corridor with new galleries, music venues, restaurants, and shops.

The next step the City took was to address the conditions of Congress Square Plaza. On March, 2010 the City brought together community members to start work. The Task Force unanimously recommended a comprehensive redesign of the Plaza and developed a RFP for design services for

Congress Square Plaza in February, 2011. The design goals acknowledge that the Plaza is the “Heart” or “Center” of the Arts District as well as a “Gateway” into it.

The PPAC recognizes that Congress Square is at the center of a hub of walkways, streets, and neighborhoods from the north, south, east, and west. It is a dynamic intersection of residents, galleries, museums, restaurants, shops, theaters, and hotels. First Friday strollers spill into it from all directions. The Congress Square Plaza is a distinct positive element to the dynamics of this intersection. Its size and shape relate to the layering of the building block structural elements bordering it on the East and North. The Plaza is unlike any other public space along the Congress Street corridor in its dimensions and potential as an outdoor, inclusive public event space.

In an effort to support the goal of the Arts District Plan “to establish a clear sense of the Arts District as a distinct section of the downtown,” the PPAC’s top priority is to put signature public art at Congress Square Plaza, the “Gateway to the Arts District.” Working collaboratively with the users, designers, and artists we hope to create a sense of place and destination with a work of art as the engager. We feel that it is important to understand the community’s needs and potential for this important public space.

There was much discussion at the PPAC meeting of the Rockbridge proposal for an event center at Congress Square Plaza. Most agreed that a win-win proposal would be ideal.

A minority of the PPAC members support the Rockbridge proposal and the concept of putting a building on a portion of the site. The important features for these members of the current design include the interactive and open nature of the building face to the plaza and to remove that component of the design would compromise the proposal and their support of the building. They would support the proposal moving forward with the condition that the building maintain a public function including the possibility of interactive installations, physical public access, and facilitation of public programming within the space.

The majority of the PPAC members feel that the current Rockbridge proposal should not go forward and the City should follow through with the RFP to redesign the Congress Square Plaza. These members do not object to a building on a portion of the park but do not favor a building that takes two thirds of the existing public space. The diminished size of the proposed plaza would eliminate opportunities for its use such as a community and artistic outdoor public space for events such as dance, music, theatre etc. The scale of a redesigned public plaza at the heart of Portland’s Arts District and a highly populated urban center should accommodate not only private functions, expanded café seating, unencumbered pedestrian circulation but be a viable urban space for social activities such as, relaxing, eating, people watching, children playing, reading, gathering, solitude, and space to engage in public art and artistic activities. This dynamic hub needs a plaza proportional in size to the needs of this diverse community. The majority of the PPAC members do not feel that this proposal reflects these needs.

The West End Neighborhood Association(WENA) would like to see Congress Square, and Congress Square Park specifically, designed, programmed and maintained in a manner befitting its location in the heart of the peninsula and the downtown. This site should not be the “gateway” to anything, but, rather, a desirable destination in its own right.

Over the past 10-15 years, Congress Square Park has been neglected while much attention has been given to other spaces such as Post Office/Tommy’s Park, Deering Oaks, Monument Square, etc. A variety of financial and social forces have contributed to the deterioration of Congress Square Park. Perhaps Portland is only capable of concentrating on one public space at a time, resulting in a space needing to hit rock bottom before it can begin to resurface.

In 2008 when the order for the formation of this study group was passed by the City Council, Congress Square Park had reached that point. It’s obvious that something needs to happen, but, as it stands now, with the ambiguity of the future ownership of the land the park occupies, this proposal is not it.

While we appreciate what Rockbridge has been through in getting to this stage, we don’t think this offer should ever have been made to them by the City in the way in which it was. We could conceivably be comfortable with a long-term lease on the land, but in proposing to sell a public asset without notification to the public, we firmly believe someone made a grave mistake. Any idea to sell should have been an open process, available to all comers and bidders and therein lies our opposition.

We would request that an RFP for full-park designs be issued, as recommended by the CSRSG 2 years ago, so the public can see other visions of what Congress Square Park could be and hear other suggestions for ameliorating its current problems. The study group was tasked with investigating possibilities for improving the park, not with deciding whether it should be sold. WENA would like to see that process followed.

Therefore, on behalf of the West End Neighborhood Association, I vote no on this proposal.

Rosanne Graef  
President, West End Neighborhood Association  
PO Box 7898  
Portland, ME 04112  
[www.wenamaine.org](http://www.wenamaine.org)



April 22, 2013

Dear Councillors Mavodones, Coyne, Suslovic, and Donoghue:

The redevelopment and expansion of the Westin Portland Harborview Hotel into Congress Square is a critical issue and a strategic opportunity for Portland to improve the use of the space and create a dynamic facility enhancing this gateway to downtown. The functionality and design of Congress Square have been discussed, studied, and re-designed, to no avail, for the past 20 years. The Portland Museum of Art and the surrounding businesses in the Arts District will benefit greatly from an event facility, a newly designed space for public art, and visitor-friendly outdoor areas. Taking into account this opportunity from RockBridge, along with what we hope is an aesthetically pleasing design that can be agreed upon by the appropriate committees and the public, the museum would like to see this project move forward through the City's development process.

Sincerely,

Mark H.C. Bessire  
Director



# Memorandum

## Planning and Urban Development Department

### Planning Division

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**To:** Housing and Community Development Committee

**From:** Alex Jaegerman, Planning Division Director, and Caitlin Cameron, Urban Designer

**Date:** May 24, 2013

**Re:** **Congress Square Redesign Study Group meeting summary**

**Meeting Date:** Wednesday, May 29, 2013

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#### **I. Summary of Meeting**

Members of the Congress Square Redesign Study Group reconvened on May 22, 2013 to review and make a recommendation on the May 22, 2013 revised RockBridge proposal for an event center that would occupy a portion of the current Congress Square Plaza.

In addition to the presentation by Rockbridge and Canal 5 Studio of the revised proposal, City staff presented an assessment of the plaza space using City of Portland Design Standards as well as the New York City Plaza Design Standards. Study Group members had clarifying questions regarding plaza space proposed including the size of the August, 2012 proposal compared to the current one, whether the egress path is included in the square footage of the plaza, whether the City of Portland intended to adopt standards similar to the New York City standards which were referenced, and where the property line would fall if the proposal were to go forward. Concern was raised about previous uses and soil safety on the site. Study Group members also asked about the uses that will occur in the hotel and how the proposed event center might alter those uses. There were also questions regarding the economics of the proposal including whether the land would be sold or leased, the assessed value of the land, current zoning and height.

After taking public comment members of the Study Group presented positions on the proposal (Attachment 1) and discussed the motion and amendment to the motion put forward. Those members opposed to the proposal expressed concern about the size of the plaza not being sufficient for the needs and uses of the community, that event space not being an active use on the plaza, the precedent that is set by selling public land for private development. Those in favor of the proposal saw it as a great economic opportunity, that the quality of space is more important than square footage of the space, and the design of the building was appropriate. Members in favor felt that the city would gain more than it would lose and that it would provide a catalyst for a process to approach the design and function of the entire square.

There was a general consensus that the entire Congress Square should be addressed and the hope that regardless of the outcome for this proposal, that the Congress Square Redesign Study Group

would have a role in the design and implementation of the plaza space as well as the entire square.

## **II. Summary of Public Comment**

Twenty-one people spoke during the public comment portion of the meeting. Members of the public included business owners in the vicinity of Congress Square Plaza and on Congress Street, members or representatives of Portland's Downtown District, Parks Commission, Portland Museum of Art, and Portland Chamber of Commerce, and neighborhood residents. Those opposed to the proposal were concerned about the loss of plaza square footage, setting the precedent that open space can be taken away, the need for more open space in dense urban environments, and the event center as an inappropriate use adjacent to the plaza. Those in favor of the proposal often cited the improved architectural design, the economic opportunity, the quality of plaza and streetscape created, and the benefits to the image of the downtown as reasons for support. The public sentiment about the proposal was mixed with eight comments generally opposed to the proposal and thirteen expressing support.

## **III. Vote of CSRSG**

It was moved [by Jan Beitzer, and seconded by Peter Bass, [with a "friendly amendment" by Hilary Bassett to add four conditions, accepted by Ms. Beitzer and Mr. Bass as part of main motion] to recommend the Housing and Community Development Committee support the proposal for Rockbridge Capital to build a new event space on a portion of Congress Square, with the proceeds utilized to redevelop the remaining space and adjacent intersection, provided that as any ground lease or contract for sale states that the City's obligation to close is contingent upon:

- 1) Rockbridge continuing to work with the City and community representatives on the design of the structure, and particularly the interaction of the structure and the public realm;
- 2) Rockbridge's final plan receiving all required final approvals from the Historic Preservation Board and the Planning Board prior to closing;
- 3) The City developing a design for the plaza land adjacent to the hotel as well as for the entire intersection area in parallel with the development of Rockbridge's event center design; and
- 4) The Historic Preservation Board and the Planning Board both finding by affirmative vote that the City's and Rockbridge's final plans will result in creatively redesigned, high-quality public open space in which the structure, the plaza and the intersection redesign enhance each other.

Prior to vote, an amendment to the main motion was made by Alex Landry and seconded by Frank Turek to amend condition 4 to add the CSRSG to the review bodies in addition to the Planning Board and Historic Preservation Board. This amendment failed on a vote of 2 – 10 (Landry and Turek in favor).

On the main motion, the vote was 6 – 6, with Beitzer, Daniels, McNulty, Bass, Bassett, and Lufkin in favor, and Turek, Landry, Graef, Parker, LaCasse, and Chair Donoghue opposed).

#### **IV. Reference Material Available**

Reference material from the May 22, 2013 meeting, the RockBridge presentation, and prior meetings of the CSRSG are available on line at:

<http://www.portlandmaine.gov/congresssquareplaza.htm>

and the RockBridge presentation at:

<http://www.portlandmaine.gov/congresssquare/westineventcenterpscshort052213tocsrsg.pdf>

#### **Attachments:**

##### **A - Written testimony by CSRSG members (Attachment 1 to HCDC memo):**

- Peter Bass (CP)
- Hilary Bassett (GPL)
- Frank Turek (PNA)
- Jack Lufkin (PDC)
- Pandora LaCasse (PPAC)
- Jim Daniels (Mark Besire, PMA)

##### **B - Written public comment submitted:**

- Ronald Goglia (Stone Coast Properties)
- David LaCasse (LaCasse & Weston)
- Abraham A. Schechter
- Edward T. Pollack (Ed Pollack Fine Arts)
- Frank Turek (Friends of Congress Square Park)

## **Stone Coast Properties, LLC**

142 High Street, Suite 513  
Portland ME 04101

May 22, 2013

Mr. Alex Jaegerman, Planning Division Director  
Portland City Hall  
389 Congress Street  
Portland ME 04112

Re: Eastland Park Plaza

As the owner of the Congress Square building (aka the State Theatre Building) we would like to voice our opinion concerning the potential redevelopment of Congress Square Plaza into a new ballroom facility by the owners of the Eastland Park Hotel. Our view is that the redevelopment of the Square for the Eastland Park Hotel Ballroom is a unique opportunity that would benefit the City, neighboring businesses and the Hotel. Ensuring the long term successful operation of the Hotel is critical to the vitality of this location, and the general Portland area.

The Park at Congress Square is a public resource but has only been there since 1983 and has been failed public space throughout our ownership which began in 2003. It is located on the busiest downtown vehicular intersection has a challenging pedestrian environment and is extremely difficult to keep safe during daylight hours and is not welcoming to visitors of any type. The current usage of the Park is not an ideal situation for all that visit the area. Over the past several years we have witnessed inappropriate public behavior by the users of the Park including altercations, public urination, drug sales, and intoxications. Our tenants have raised concerns about this adverse behavior taking place in the Park, and some have relocated to other sections of the City.

We urge the City to move forward with this carefully and thoughtfully crafted “win-win” strategy that allows this major economic development to take place bringing new tourism jobs and gaining new visitors to the Arts District through the addition of much needed conference space. The re-opening of the State Theatre has brought tremendous night life to the area, with new businesses reestablishing themselves on Congress Street. The reincarnation of the Eastland should have a similar effect on the neighborhood.

In terms of impact on the neighborhood, we do have some concerns that need to be addressed. For the operation of the State Theatre, any improvements should

not interfere with the access to our loading dock through the alley located adjacent to 150 High St. Under current conditions accessing the alley is a challenge. Our second concern involves the Immanuel Baptist Church located at 156 High Street. Consideration of religious events at the Church should be a high priority for the new owners of the Eastland Hotel. Parking of buses, trucks, etc. in front of the Church should not be permitted except in extreme emergency conditions. The current parking laws for buses idling, parking, etc. should be enforced for the safety and comfort of the neighbors of the Eastland Hotel.

We feel that our building and its tenants will be negatively impacted by the expansion of any sidewalks and the removal of any parking spaces along High Street and Congress Street. The operation of the State Theatre will also be impacted should the road way be changed from a one way street to a two way street.

In closing we are in full support of the redevelopment of the Park at Congress Square, but not the expansion of any sidewalk located on High Street, the removal of any metered parking spaces, nor can we currently support the changing of High Street into a two way road.

Very truly yours,  
Stone Coast Properties, LLC  
By:



Ronald J. Goglia,  
Its Manager and President.

CC: Jan

To the HCDC Members

Dear Nick, John, Kevin, and Ed

Since the creation of Congress Square Plaza in 1979, several City committees and reports have detailed the importance of this plaza to the revitalization and overall success of the downtown area. In 2010, the City Council realized the 30-year-old Congress Square Plaza needed to be renewed and formed the Congress Square Redesign Study Group. This group consists of city, business and community leaders. After more than a year of work, the CSRSG voted unanimously to issue a RFP for the redesign of the Congress Square Plaza. Before the RFP could be issued, however, the Rockbridge Group approached the Housing and Economic Committee with a proposal to buy Congress Square Plaza and build a ballroom. The RFP was put on hold until the Rockbridge proposal could be submitted and evaluated.

The first proposal took up the entire existing Congress Square Plaza. The second proposal took up approximately 72% of the existing Congress Square Plaza. That proposal has since been modified to take 67% of the existing Plaza. Included in all the proposals is rhetoric that the existing plaza is “too big”, “the wrong size”, “not used”, etc., and that the event center could not possibly be any different than what is being proposed.

The second proposal and its subsequent modified proposal suggest that the proposed public plaza will conform to the New York Standard for Privately Owned Public Space; implying that this will make it a successful plaza. The implication that the existing Congress Square Plaza is badly designed and that the new smaller plaza will be well designed and, hence, successful, is a conclusion that is simply false.

The existing 14,800 sq ft Congress Square Plaza and the proposed 4,800 sq ft plaza both meet several of the Portland Design Standards for Open Space and the New York Standards for Privately owned Public Space. Additionally, there are provisions of the standards that neither plaza meets.

The City and the Congress Square Redesign Study Group have not finished the process of determining how the Congress Square Plaza could best serve the needs of the community. Without final criteria generated from the CSRSG process to judge the options, how can the HCDC make an accurate recommendation about the proposed event center and 4,800 sq ft plaza project?

The Congress Square Redesign Study Group should be allowed to send out the RFP and determine what the City of Portland Arts District Gate Way and Congress Square Plaza neighborhood needs are at this location. Once this process has been completed, then a decision regarding the future of this extremely important Congress Square Plaza can be made based on solid and expertly determined recommendations and, not because a 4,800 sq ft plaza meets the current wishes of the Rockbridge development group.

Thank You

David LaCasse P.E

21 May 2013



*Congress Square Park, May 1998.*

To the members of the Portland City Council, and the Congress Square Planning Committee,

Settling the matter of Congress Square Park is long overdue. It was nearly a year ago that many Portland city residents, with myself included, wrote to you from our standpoints as concerned neighbors of the Park. The general sense is that of protest and outrage that a downtown public space is being leveraged in a potential real estate sale to a private developer seeking to extend the already ample footprint of a luxury hotel. This issue continues to be under debate, not only because an open, multi-functional public city space is under threat, but also because this issue

implies that no city park is safe from becoming marketable real estate. That a city park is even *under consideration* for sale is objectionable enough, but it must be pointed out how the response of so many neighbors sets a precedent-making decision into your hands. I speak as a thirty-one year downtown Portland resident, who has lived within two blocks of the Park since its inception.

### **stewardship, revisited**

My appeal to you, as it was last year, is that you deny the sale of Congress Square Park to private developers for their construction project's expansion, and that you protect the Park so that it can be improved on its original footprint. I am one among many neighbors that urges you to turn away proposals for elimination, and to choose instead amelioration. Indeed, the Park's current appearance is not the best we've seen, due to the hotel construction site barricades and detritus, as well as the cumulative effects of the city's neglect of the space. With each city park space, consistent stewardship of the environs is intrinsic to its continuity; care invites constructive participation. Removing the space with a building also removes the prospects for an urban park space that served as well as it has been maintained. The term, "*failed space*," is a misnomer: in truth, it is a space whose stewardship has been fumbled. In response, there are neighbors and a friends' group dedicated to the Park to recover the fumble. As city officials, these citizen efforts should tell you that restoration is the course of action, and not removal.

### **protecting public space**

Further, and beyond the saving and restoring of Congress Square Park, the broader matter of *designated public spaces* must be addressed. By this, I refer to urban spaces whose mandated, designed purpose is for public use- such as for respite, or block parties and festivals, or simply as open piazzas among structures. The life of Congress Square Park is historically and functionally twinned with the contiguous Portland Museum of Art. Spaces such as these, even in a small city like Portland, only increase in importance and potential vitality as the urban center intensifies. With this reality in mind, the city must act to protect all designated public spaces from sale to real estate developers. In essence, city parks are to be treated as protected land. A commendable example is Belfast's *Heritage Park*, which is the green at the city's pier. It is a public park which is legislatively protected from development. As our city considers selling off Congress Square Park, the gate will swing wide open to builders that will inevitably cast their speculations upon Lincoln Park, Payson Park, Tommy's Park, Post Office Park, Fort Allen Park, Fessenden Park, or even Peppermint Park, and so on. Why not? Aren't these worth some money? Aren't they expensive to maintain and police? But these are all *designated public spaces*, not in existence as sellable commodities, but here to be nurtured as urban oases. These are not sandlots which once supported industrial structures that now serve as parking lots, but actual and sanctioned public park spaces. Much as with an old house, maintenance and restoration are inherent in the stewardship mandate. Portland would be wisely visionary to protect its parks. Public parks must not be for sale. It should be a very simple matter to invoke this with a no-thank-you to the private real estate developers.

From the broader issue of the city's regard for public parks, a few points of consideration specifically regarding Congress Square Park. The Eastland Hotel, being remodeled as a Westin Hotel, has an already enormous footprint for a city of Portland's size. There are already two ballrooms, one of which is a single story that juts out southward and faces Congress Square. Just as the rooftop lounge, the *Top of the East* is being expanded, why not double-deck the jutting ballroom? Thus the Park's original footprint would be undisturbed. When Radisson Hotels owned the Eastland, the portion of the Park nearest to the south entrance was used as an outdoor café which functioned very well. Hotel ownerships ebb and flow with the economy, and the Eastland has had numerous owners in the recent decades. Westin surely has many options within its boundaries. The next owner may not have much use for an extra (and rather small) functions space. When, however, it comes to Rockbridge/Westin's desired expansion that would eliminate Congress Square Park, a losing proposition would occur at all hands: The city's western neighborhoods and downtown's arts district would lose its public open space, and the proposed "ballroom" would already be exceeded by many nearby competitors that offer larger, more convenient spaces, highway and airport proximities- and *parking*. A functions hall without free parking would surely be a *failed space*.

### **moral challenge**

As elected representatives of this city, my hopes and the hopes of most of my neighbors are that you will choose in favor of the restoration and improvement of Congress Square Park, and protect it- and its fellow city parks from sale and elimination as public space. At a time in which Portland's population finds itself polarized between the very affluent and the destitute, with working classes squeezed into narrower margins, city officials need to pay attention to the spirit of our home. What is the spirit of Portland? What do we want it to be? In his immortal essay, *God in the Dock*, Lewis wrote, "Moral collapse follows upon spiritual collapse." I submit to you that we confront a spiritual challenge. Selling off sanctioned public park space to private developers shows a lack of faith. If we set a precedent of offering park spaces neglected to the point of conviction for sale, it demonstrates pessimism about this city, and pessimism about its prospects. As pessimism increases between citizens and their city, the answer comes in the form of pessimism between city officials toward its citizens. The supreme example must be one of trust. Trust that our community- and its officials- are able to attend to the vessels of its stewardship. Recalling the old saying that "few doubt, but even fewer trust," should remind all of us to take the lead and be those who trust, who daringly renew, who see the possibilities, and who make the desert bloom. Please make the affirmative decision to keep and ameliorate Congress Square Park, on its original footprint, and consider protecting and improving Portland's urban parks. Use this opportunity to listen to your community, have faith, set a needed precedent, and realign priorities.

Sincerely and respectfully,  
Abraham A. Schechter, of Portland

**Caitlin Cameron - Re: CSRSG 5.22 agenda and backup materials**

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**From:** Ed Pollack <ed@edpollackfinearts.com>  
**To:** Caitlin Cameron <CCameron@portlandmaine.gov>  
**Date:** 5/17/2013 10:47 PM  
**Subject:** Re: CSRSG 5.22 agenda and backup materials  
**CC:** Alex Jaegerman <AQJ@portlandmaine.gov>

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Thank you for forwarding these materials. I have reviewed the proposal and your analysis and comments. Additionally, I have visited the developer's office on Free Street, where I was shown the slide presentation and engaged in discussion about the revised proposal. I believe that the revised proposal meets both the concerns of the community for the preservation and upgrading of public park space in the neighborhood, and the developer's need to create a hotel with sufficient amenities to keep it viable. The redesign of the event facility engages with the Community. By bringing the hotel into closer proximity to Congress Street, the hotel will be able to become a part of the Arts District, with the potential for mutual benefit. As one with a neighboring business, I view this new proposal as an enhancement to the community, and am happy to endorse it and urge its approval.

Edward T. Pollack  
A Fine Thing: Edward T. Pollack Fine Arts  
29 Forest Avenue  
Portland, ME 04101  
207-699-2919 or 617-610-7173  
[ed@edpollackfinearts.com](mailto:ed@edpollackfinearts.com)  
[www.edpollackfinearts.com](http://www.edpollackfinearts.com)

On May 17, 2013, at 5:05 PM, "Caitlin Cameron" <[CCameron@portlandmaine.gov](mailto:CCameron@portlandmaine.gov)> wrote:

To: Congress Square Redesign Study Group and Other Interested Parties:

Attached please find the agenda for the May 22, 2013 meeting of the Congress Square Redesign Study Group. Also attached is a memorandum which assesses the RockBridge proposed event center for consistency with urban plaza design guidelines (Portland and New York City), as well as comparing the current proposal with the previous proposals from August, 2012 and revisions since the April 24, 2012 proposal to the Housing and Community Development Committee.

The meeting will take place at 5:30 on Wednesday, May 22, 2012, in City Council Chambers in City Hall.

The slide presentation by RockBridge will be posted on the City of Portland web site:  
<http://www.portlandmaine.gov/default.asp>

Alex Jaegerman

Caitlin Cameron, LEED AP, Associate AIA

May 24<sup>th</sup>, 2012

Re: Petition to Keep Congress Square Park Public.

Dear members of the Housing and Community Development Committee (HCDC),

Back in February the citizen group, which I head, The Friends of Congress Square Park, wanted a way to get a better idea of the public views on the issue of Congress Square Park and Rockbridge's proposed development. We sensed that the majority of public views were different from what we were hearing through the press and through hearsay. We wrote up a petition stating the desire to keep Congress Square Park a public park and on February 12<sup>th</sup> we started collecting signatures via a paper petition and an on-line version through signon.org.

[There is a difference in the wording on each of these versions but the gist and intent is clearly the same. See attached pages of each petition's preamble.]

We emphasized to folks that this was not an official petition but more of a form of public opinion survey. We encouraged both Portland and non-Portland residents to sign. We felt that the views of these people visiting downtown Portland would be a reflection of what tourists would prefer in this downtown square. Also, the majority of non-Portland signers were from the Greater Portland community and or former Portland residents. We were also very low-key in our petition gathering; the paper petition signatures we gathered just by circulating to friends and by going out for an hour or two once a week and standing by the park.

We closed the petition after our last gathering session on Friday May 17<sup>th</sup>. Making the total days elapsed of this petition 95.

**Our Petition total signatures were 1,328 with Portland residents totaling 928.**

It's our hope that you will consider this as a reflection and gauge of public interest in the matter.

It is also my personal observation, after engaging the public in discussion from one week to the next, over the past several months that the public generally has, not only strong feelings about keeping the park, but also a wide variety of reasoned arguments of why this open space, in its entirety, is an essential element to our downtown.

Kind regards,

Frank Turek

The Friends of Congress Square Park.

[Note: Attached documents: Preamble to the paper petition and the electronic version.

A copy of the 90+ page document of the actual petition signature pages will be presented to the committee on or before the 29<sup>th</sup> of May, 2012.]

# Petition to Keep Congress Square Park Public

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**Petition Summary:** For the past year, the four councilors of the Housing and Community Development Committee (HCDC) have been hearing proposals from Rockbridge Capitol LLC, a national investment corporation specializing in renovating and then reselling hotels for a return on their investment. Rockbridge has offered two proposals to build upon Congress Square Park, both of which have been rejected. A third proposal has been promised to the HCDC since August of 2012 and has yet to materialize. Meanwhile the city formed committee, The Congress Square Redesign Study Group (CSRSG) has been waiting in the wings to continue on with their work to revitalize the park.

The goal of this petition is to prove public support for keeping Congress Square Park a public park. This proof will be presented to the HCDC to persuade them to drop the negotiations with Rockbridge and let the CSRSG continue on with the redesign on the park.

**We the undersigned object to the sale of Congress Square Park for private development.**

Date	Signature	Printed Name	Address	Portland Resident? (yes or no)

Dear Portland City Council,

We are pleased to present you with this petition affirming this statement:

**"We believe it is in the best interest of the city, the community, and visitors, to maintain Congress Square Park as public and to proceed with a redesign of the park. The option to sell the park to a private developer should be taken off the table completely."**

Attached is a list of individuals who have added their names to this petition, as well as additional comments written by the petition signers themselves.

Sincerely,  
Frank Turek