

Comments Submitted - 4/23/14

Comments to Christine 4/30/14
Comments to Bob McCall 5/12/14
City of Portland
Development Review Application
Planning Division Transmittal Form

Application Number: 2014-053 Application Date: 04/15/2014
CBL: 012 E006001 Application Type: Level III Site Plan Under 50,000 sq f
Applicant: Avesta Washington Ave. /Greg Payne
Project Name: Washington Avenue Efficiencies
Address: 134 WASHINGTON AVE
Project Description: Development of 18 affordable housing units in a 4-story building
Zoning: B2B/R6

Other Required Reviews:

- Traffic Movement
- Storm Water
- Subdivision
- Site Location
- 14-403 Streets
- # Units _____
- Flood Plain
- Shoreland
- Design Review
- Housing Replacement
- Historic Preservation
- Other:
- # Lots 18
- # Unit _____

Distribution List:

Planner	Barbara Barhydt	Parking	John Peverada
Zoning	Marge Schmuckal	Design Review	Alex Jaegerman
Traffic Engineer	Tom Errico	Corporation Counsel	Nennifer Thompson
Civil Engineer	David Senus	Sanitary Sewer	John Emerson
Fire Department	Chris Pirone	Inspections	Tammy Munson
City Arborist	Jeff Tarling	Historic Preservation	Deb Andrews
Engineering	David Margolis-Pineo	DRC Coordinator	Phil DiPierro
		Outside Agency	

Comments needed by 4/22/2014

Marge Schmuckal - Re: Zoning Questions

From: Marge Schmuckal
To: Bob Metcalf
Date: 5/12/2014 4:55 PM
Subject: Re: Zoning Questions

>>> "Bob Metcalf" <rmetcalf@mitchellassociates.biz> 5/12/2014 4:32 PM >>>
Hi Marge,

I am going to kill two birds with one email, I hope.

Bird 1: Regarding 134 Washington Ave, we interpreted the zoning line to be at the lot line and did not see the gray scale of the lot line extending into the R6 zone. How is the B2b zone established on Washington Ave, is it an offset from the centerline of the street or edge of right of way. We are trying to figure out how to establish the line on the revised plan. The Ordinance states that the measurement back into the property projects 100 feet into the property from the front property line. However, essentially, the entire lot is B-2b based upon 14-51 which allows an extension of the less restrictive zone (B-2b) into the more restrictive zone (R-6). The deepest portion of the R-6 zone is about 24' by measurement and would meet the definition of 1-51.

Bird 2: We are looking at a property for a client and need to determine the parking requirement. The current structure is a 2 sty building, used as office, with a one story garage/storage wing. Our client is looking at maintain office (1/400SF) and using the one story as a maintenance garage and office space for their maintenance department. This will be an off-site facility for another property they currently own. Would we calculate the maintenance office/storage parking as 1/1000 SF. The two story office use is 6,300 SF and the one story storage wing is 2,600 SF (3 spaces?). You may be able to use your scenario, but I would defer my final determination when an application comes in and I can actually see the relationship of office to storage parking.
Marge

Thank you,

Bob

Robert B. Metcalf, Principal
Maine Licensed Landscape Architect
Mitchell & Associates
70 Center Street
Portland, Maine 04101
207-774-4427
rmetcalf@mitchellassociates.biz

Marge Schmuckal - Re: 134 Washington Ave - 2014-053

From: Marge Schmuckal
To: Christine Grimando
Date: 4/30/2014 3:23 PM
Subject: Re: 134 Washington Ave - 2014-053

Hi Christine,

I believe that section 14-51 of the Ordinance allows an extension of the less restrictive zone (B-2b) into the more restrictive zone (R-6). The widest portion of the R-6 zone is about 24' by measurement and would meet the definitions of 14-51. So in essence all of the lot is B-2b for all the requirements.

I hope that helps you,
Marge

>>> Christine Grimando 4/30/2014 1:22 PM >>>
Hi Marge,

I also noticed that the lot for this project is bisected by R-6, and you're comments are included in my still-developing review memo. What I don't know is how a lot split by two zones should account for applicable dimensional standards. Are setbacks and impervious surface maximums for R-6 applicable to the rear of the lot, or does B-2b override the split in this case? Any feedback you have is much appreciated.

Thanks.

Christine

Christine Grimando, AICP
Senior Planner
Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101
cdg@portlandmaine.gov
Ph: (207) 874-8608

>>> Marge Schmuckal 4/23/2014 5:32 PM >>>
Hi Christine,
I have put comments in U.I for this project.
Marge

MEMORANDUM

To: FILE

From: Christine Grimand

Subject: Application ID: 2014-053

Date: 4/23/2014

Comments Submitted by: Marge Schmuckal/Zoning on 4/23/2014

this project is in a B-2b zone with an R-6 zone in the rear. I have a few questions. Are the footings underneath City Property in front? I would like confirmation that the right side setback is the minimum of 5 feet. The lines on the plan translate into about a foot wide. I would also like to confirm the height be getting the average grade around the building. There are several point that are much lower than where the measurements are labeled. I would also like confirmation on the parking in lieu numbers that relate to this property.

Marge Schmuckal
Zoning Administrator

Marge Schmuckal - 134 Washington Ave - 2014-053

From: Marge Schmuckal
To: Christine Grimando
Date: 4/23/2014 5:32 PM
Subject: 134 Washington Ave - 2014-053

Hi Christine,
I have put comments in U.I for this project.
Marge

Applicant: Avesta

Date: 4/15/14

Address: 134 Washington Ave

C-B-L: 12-E6:34

CHECK-LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - B-2b YES (R-6 in Rear) - essentially All B-2b based on Sec 14-51

Interior or corner lot -

Proposed Use/Work - 18 efficiency DU.

Sewage Disposal - City

Lot Street Frontage - None Reg

Front Yard - None Reg - ^{footing on city} 18' right mt

Rear Yard - Abuts Res - 20' min Reg - 23' at closest

Side Yard - 5' min (doesn't abut a Res. Zone) - 26' at closest ^{colony} [?] (3.90 on Right 500' Truck lane)

Projections -

Width of Lot -

Height - 45' max - 44' given - 43' 8" lowest to highest ^{Next to conf w/ private grade}

Lot Area - 10,096 sq ft per app.

Lot Coverage/Impervious Surface - 90% max ^{of} showing 29.2% ^{per DATA sheet}

Area per Family - 435 sq ft / DU on peninsula 10 x 435 = 7,030 sq ft ^{min Reg}

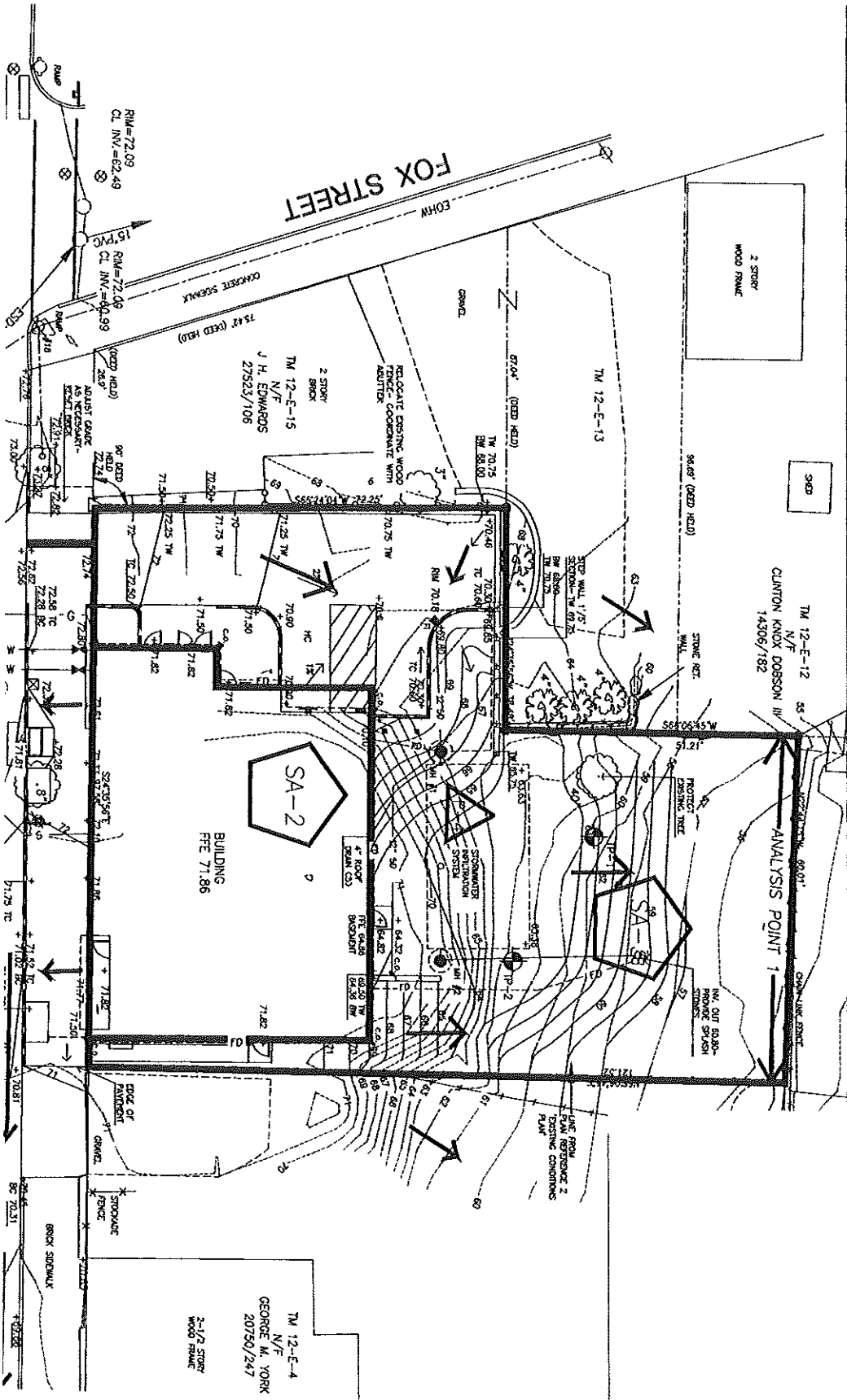
Off-street Parking - providing 2 on site parking - 2 cost free in lieu

Loading Bays -

Site Plan - 2014-053

Shoreland Zoning/ Stream Protection - NA

Flood Plains -



<p>WASHINGTON AVENUE EFFICIENCIES</p> <p>134 Washington Avenue</p> <p style="text-align: right;">Portland, Maine</p>	<p>Prepared For:</p> <p>Applicant: AVESTIA Washington Ave. LP 134 Washington Avenue Portland, Maine 04101 Tel: (207) 799-4400</p> <p>Prepared By: MITCHELL & ASSOCIATES Landscape Architect 134 Washington Avenue Portland, Maine 04101 Tel: (207) 799-4400</p>
-------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Date: APRIL 14, 2014

PROJECT DATA

The following information is required where applicable, in order to complete the application.

Total Area of Site	10,096 sq. ft.
Proposed Total Disturbed Area of the Site	10,096 sq. ft.
If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland	
Impervious Surface Area	
Impervious Area (Total Existing)	1,020 sq. ft.
Impervious Area (Total Proposed)	2,950 sq. ft. <i>100% 29.2%</i>
Building Ground Floor Area and Total Floor Area	
Building Footprint (Total Existing)	1,700+/- sq. ft.
Building Footprint (Total Proposed)	3,003 sq. ft.
Building Floor Area (Total Existing)	sq. ft.
Building Floor Area (Total Proposed)	13,630 sq. ft.
Zoning	
Existing	B-2-B
Proposed, if applicable	
Land Use	
Existing	Single Family Residence
Proposed	Affordable Apartment Rentals
Residential, if applicable	
# of Residential Units (Total Existing)	1
# of Residential Units (Total Proposed)	18
# of Lots (Total Proposed)	1
# of Affordable Housing Units (Total Proposed)	18
Proposed Bedroom Mix	
# of Efficiency Units (Total Proposed)	18
# of One-Bedroom Units (Total Proposed)	
# of Two-Bedroom Units (Total Proposed)	
# of Three-Bedroom Units (Total Proposed)	
Parking Spaces	
# of Parking Spaces (Total Existing)	1
# of Parking Spaces (Total Proposed)	
# of Handicapped Spaces (Total Proposed)	1
Bicycle Parking Spaces	
# of Bicycle Spaces (Total Existing)	0
# of Bicycle Spaces (Total Proposed)	8
Estimated Cost of Project	\$1,683,069.00

Mr. Alexander Jaegerman
and Board Members

Page 2

Project Description

The proposed project will create 18 units of affordable rental apartments. The gross square footage of the proposed 4 story building is 13,630 square feet with a 3,003 square foot building footprint. A partial daylight basement houses mechanical equipment and provides access to the backyard. The building will cover approximately 29% of the site, with surface parking for two vehicles. The project is further described in the following application.

Submission

This submission includes the following information:

1. Cover letter, dated April 4, 2014
2. Site Plan and Subdivision Application & Checklist
3. Application Fee: \$1,087.50 (Per Sec 14-486 Affordable Housing Reduction)
4. Booklet of required exhibits
5. One set of plans (24" x 36")
6. One set of plans (11"x17")
7. One set of digital files

We trust that the Planning Board will consider this a complete application for a workshop meeting. If you desire any additional information, please do not hesitate to contact us. We look forward to our meeting with the Board at its earliest convenience.

Sincerely,
Mitchell & Associates



Robert B. Metcalf, Principal
Maine Licensed Landscape Architect

Enclosures

cc: Greg Payne
David Lloyd

April 14, 2014

Mr. Alexander Jaegerman,
Director of the Portland Planning Division
and Planning Board Members
City of Portland
389 Congress Street
Portland, Maine 04101

**RE: Avesta Washington Avenue, LP
Proposed 134 Washington Avenue Efficiencies
Site Plan and Subdivision Review**

Dear Alex and Board Members:

On behalf of Avesta Washington Avenue, LP, we are pleased to submit the following Site Plan and Subdivision Application for the proposed "134 Washington Avenue Efficiencies" located at 134 Washington Avenue in Portland. This submission has been prepared in compliance with requirements of the City of Portland Zoning, Site Plan and Subdivision Ordinance. The project is intended to provide affordable rental housing on the peninsula with an emphasis toward providing quality housing for low income veterans.

The Site

The subject parcel has an existing single family residence on a 10,096 square foot lot located along Washington Avenue near the intersections of Fox Street and Walnut Street. The soils are characterized as urban conditions, as described in the geotechnical evaluation completed for the property. The residence is located close to the front property line on a level area of the site. The rear of the property slopes steeply to the west. A small single car garage and paved driveway are located along the southern property line. The property is located within the City's B-2-B District and abuts the residential R-6 District to the rear (west) of the property.

Marge Schmuckal - Zoning Questions

From: "Bob Metcalf" <rmetcalf@mitchellassociates.biz>
To: "Marge Schmuckal" <MES@portlandmaine.gov>
Date: 5/12/2014 4:39 PM
Subject: Zoning Questions

Hi Marge,

I am going to kill two birds with one email, I hope.

12-E-4
100' bAd

Bird 1: Regarding 134 Washington Ave, we interpreted the zoning line to be at the lot line and did not see the gray scale of the lot line extending into the R6 zone. How is the B2b zone established on Washington Ave, is it an offset from the centerline of the street or edge of right of way. We are trying to figure out how to establish the line on the revised plan.

Bird 2: We are looking at a property for a client and need to determine the parking requirement. The current structure is a 2 sty building, used as office, with a one story garage/storage wing. Our client is looking at maintain office (1/400SF) and using the one story as a maintenance garage and office space for their maintenance department. This will be an off-site facility for another property they currently own. Would we calculate the maintenance office/storage parking as 1/1000 SF. The two story office use is 6,300 SF and the one story storage wing is 2,600 SF (3 spaces?).

Thank you,

Bob

Robert B. Metcalf, Principal
Maine Licensed Landscape Architect
Mitchell & Associates
70 Center Street
Portland, Maine 04101
207-774-4427
rmetcalf@mitchellassociates.biz

5/25/14

CITY OF PORTLAND, MAINE
PLANNING BOARD

Stuart O'Brien, Chair
Timothy Dean, Vice Chair
Elizabeth Boepple
Sean Dundon
Bill Hall
Carol Morrisette
Jack Soley

June 10, 2014

Greg Payne
Avesta Washington Avenue, L.P.
307 Cumberland Avenue
Portland, Maine 04101

Robert Mitchell
Mitchell & Associates
70 Center Street
Portland, Maine 04101

Project Name:	Washington Avenue Efficiencies	Project ID:	2014-053
Address:	134 Washington Avenue	CBL:	012 E014, 012 E006
Applicant:	Avesta Washington Avenue, L.P. c/o Avesta Housing		
Planner:	Christine Grimando		

Dear Mr. Payne:

On June 10, 2014 the Planning Board considered Washington Avenue Efficiencies for Level III Site Plan and Subdivision review for 18 units of affordable rental apartments in a 4-story square foot building. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted 4-1 (Dean opposed, Foley and Morrisette absent) to approve the application with the following waivers and condition(s) as presented below.

WAIVERS

1. The Planning Board voted 5-0 to waive the Technical Manual standard, Section 5.II.C(b), relating to Flooding Standards, in consideration that the majority of the site runoff is associated with roof area and that the roof drain will connect to the public storm drain.
2. The Planning Board voted 5-0 to waive the Technical Manual standard, section 1.7.2.7, relating to Corner Clearance, which requires a minimum of 150 feet of corner clearance for driveways entering an arterial street. The centerline of the driveway accessing this lot is located <40 feet from the R.O.W. intersection of Fox Street and Washington Avenue. The driveway location is in the same location as the existing driveway, and the driveway width had been reduced to maximize the distance from the Fox Street corner.
3. The Planning Board voted 5-0 to waive the Technical Manual standard, section 4.6, to reduce the required number of trees being paid for through the fee-in-lieu system. The applicant is proposing to plant three and make a fee-in-lieu payment for eight trees, for a partial waiver of the remaining required seven.

SITE PLAN REVIEW

The Planning Board voted 4-1 (Dean opposed) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following condition(s) of approval:

1. The applicant shall provide a detailed construction management plan, to be approved by the Department of Public Services, prior to any building permit being issued.
2. The final plan shall reference the annual inspection and reporting requirements contained in Chapter 32 of the City of Portland Code of Ordinances.
3. The Grading, Drainage and Utilities Plan shall include a note related to the location and type of roof drain filter proposed by the Applicant.
4. The Applicant shall submit a letter confirming capacity to serve the sanitary sewer needs for the proposed development upon receipt from the City.
5. The final plans must indicate the minimum allowable slope for all gravity sewer and drain pipes.
6. The applicant shall provide documentation that the site lighting meets the city's technical standards.
7. The final plans shall indicate that the ground floor window transparency shall be .7 VT or greater.
8. The final design of the proposed curb extension, crosswalk alignment, and location of street trees shall be approved by Metro, DPS and the City Arborist.
9. The applicant shall make a contribution to the City's Street Tree Fund for eight street trees prior to the issuance of a certificate of occupancy.
10. The applicant shall obtain easements for all work outside the boundaries of the site, including building footings, to be reviewed by Corporation Council and approved by the City Council. Recorded copies of any easements shall be provided to the Planning Authority prior to the issuance of a building permit.

SUBDIVISION

The Planning Board voted 5-0 that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following condition(s) of approval:

1. The applicant shall revise the subdivision plat to the satisfaction of the Planning Authority, Department of Public Services, and Corporation Counsel.
2. The applicant shall obtain a license agreement for the front entrance canopy prior to the release of the signed Subdivision Plat.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report for application PEZ 2014-053 which is attached.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

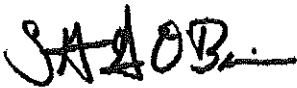
1. **Subdivision Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
3. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
4. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
5. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a subdivision plat for recording at the Cumberland County of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

9. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
10. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
11. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
12. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy.

If there are any questions, please contact Christine Grimando at 874-8608.

Sincerely,



Stuart O'Brien, Chair
Portland Planning Board

Attachments:

1. Planning Board Report (includes staff memos)
2. Performance Guarantee Packet