Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 09/15/15

Mount Joy LLC
49 Merrill Street
Portland, ME 04101
207-415-3834

June 26, 2015

To: The Planning and Urban Development Department

Attached please find the Level I Minor Residential Development Review Application for 98 Washington Avenue. We appreciate the input and direction already received from you and from the Fire Department in preparing this application and your ongoing efforts to help us move forward to obtain necessary approvals.

Our project is not the high-end housing development that the peninsula, and particularly the East End, has seen much of recently. Our objective is to create a few safe, attractive, reasonably-priced rental residential units of varying sizes and rents on the upper floors of this 24' x 40' 4-story brick building as well as a 1st floor commercial space that will attract tenants who will add vitality to the Washington Avenue streetscape. We are not a large operation, just a small team with the objective of creating modest, pleasing spaces on a very tight budget.

As recently as this department's January 2015 Workforce Housing Study to as long ago as the 2002 Comprehensive Plan report "Housing: Sustaining Portland's Future", there has been an expressed need for:

- Housing in business zones
- Housing along arterials
- Compatible residential/nonresidential uses
- Walkable neighborhoods
- Housing with ready access to existing infrastructure such as metro and schools
- Economic, social, cultural and ethnic diversity
- Increased density

This project satisfies all of those goals. In addition, 98 Washington is a striking old building that, along with a few other nearby older brick buildings, adds great character to a principal arterial into the city. We are happy to be part of both preserving this important asset and creating they type of housing needed in our city.

In particular, and regarding the several issues brought to our attention at the April 15 pre-application meeting, you will find included in this packet materials addressing the following:

<u>Fire Safety</u>
In line with the comments by Captain Gautreau at the April 15, 2015 pre-application meeting, Mark Cummings of Fire Risk Management, Inc. has conducted an evaluation regarding egress and other fire safety standards. The evaluation is attached to the application.

Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 09/15/15

Parking
The survey attached to the application shows an 18.5' span at the end of the driveway, providing us with two parking spaces. Regarding the third space required by Section 14-332(a), we would like to explore the possibility of shared parking with the Maine Probation Office directly across the street whose large lot sits empty 16 hours of the day. If no acceptable arrangement can be made, we will pay the fee-in-lieu of parking permitted by Section 14-345(b). The traffic engineer attending the pre-application meeting indicated his satisfaction with the current access to Washington Avenue provided there was no addition of parking spaces to the existing lot.

Number of units to be added to the building
Our application is for two additional living units as well as renovation of the existing unit. A more complete discussion of this issue is attached to the application.

Encroachment of Madison Avenue entryway onto city property
The June 10, 2015survey performed by Boundary Points indicates a minor encroachment of the side entry onto city property. This is addressed in the "Written Description of Existing and Proposed Easements" section of the General Submittal Requirements.

Engineering
Paul Becker of Becker Structural Engineers, Inc. is overseeing the structural engineering aspects of the project. This is discussed further in the "Cross Section with Framing Details" section of the Building Permit Submittal Requirements.

In conclusion, Objective 5.d.3 of the Housing Component of the City's Comprehensive Plan aspires to : "encourage innovative development and redevelopment proposals that increase density and incorporate residential housing above first floor businesses by facilitating the review process and considering flexible shared parking options. " Recognizing that we are working with an existing building, are not touching its shell (other than to add skylights), are a small operation seeking to avoid additional expenses and needing for the asset to begin performing as soon as possible, we ask that you consider all means to "facilitate the review process" and where possible avoid imposing any additional reviews or burdens intended for larger, more complex projects.

Please let us know if there is anything else we can do to help move the application forward.

Sincerely,

Peter and Lisa Adams
Managers
Mount Joy LLC
49 Merrill Street
Portland, ME 04101
207 415 3834

Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 09/15/15

Mount Joy LLC
49 Merrill Street
Portland, ME 04101
207-415-3834

July 1, 2015

To: The Planning and Urban Development Department
Re: Legalization of Nonconforming Dwelling Unit - 98 Washington Ave

The following materials are attached in support of the request for legalization:

1. Completed Application for Legalization of Nonconforming Dwelling Unit at 98 Washington Avenue supported by:
   a. Affidavit of William Maselli regarding his residence at 98 Washington Avenue
   b. History of 98 Washington Avenue
   c. May 20, 2015 Warranty Deed of the property to Mount Joy LLC demonstrating that Applicant did not establish the nonconforming dwelling unit
2. Plot Plan of the property by Bruce Bowman dated January 20, 2015
3. The existing conditions floor plan for the nonconforming dwelling unit (there are no other existing dwelling units in the building)
4. Evidence of the nonconforming dwelling unit's ability to comply with the NFPA Life Safety Code, specifically:
   a. Portland Fire Department Site Review summary provided by the applicant in its Level I Minor Residential Development Review Application
   b. Report of Mark Cummings, P.E. of Fire Risk Management, Inc. dated June 25, 2015
   c. Please note that the life safety plan for this building has been discussed several times with the Fire Department, most recently with Captain Gautreau on April 15, 2015 at a pre-application meeting.
5. Evidence of the nonconforming dwelling unit's ability to comply with the City's Housing Code, specifically:
   a. Proposed floor plan drawings
   b. Cross section with framing details
   c. June 26, 2015 cover memo to the Planning and Urban Development Department discussing the overall plan for the building and describing the involvement of Becker Structural Engineers to oversee the structural engineering aspects of the projects

Please let us know if there is anything else that would be helpful to you in your consideration of the Application.

Peter and Lisa Adams
Managers
Mount Joy LLC