



APPLICATION FOR EXEMPTION FROM SITE PLAN REVIEW

Applicant A3M Partners
120 Exchange St PHd
Applicant's Mailing Address B4101
775-2100
Consultant/Agent/Phone Number

Application Date 11/7/03
Project Name/Description Nissens Reuse
59 Washington
Address of Proposed Site

CBL: 013 IO 43001

Description of Proposed Development:

Change of use of 64,910 sq.ft for business/retail.

Traffic study indicates net increase of 41 trips

Please Attach Sketch/Plan of Proposal/Development

Criteria for Exemptions:

See Section 14-523 (4) on back side of form

- a) Within Existing Structures; No New Buildings, Demolitions or Additions
- b) Footprint Increase Less Than 500 Sq. Ft.
- c) No New Curb Cuts, Driveways, Parking Areas
- d) Curbs and Sidewalks in Sound Condition/Comply with ADA
- e) No Additional Parking/No Traffic Increase
- f) No Stormwater Problems
- g) Sufficient Property Screening
- h) Adequate Utilities

Applicant's Assessment (Yes, No, N/A)	Planning Office Use Only
✓	✓
✓	✓
✓	✓
✓	✓
existing	✓
✓	✓
✓	✓
✓	✓

Planning Division Use Only

Exemption Granted Partial Exemption _____ Exemption Denied _____

Planner's Signature S. Schulz Date 11/10/03

traffic permit.

CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM

Planning Copy
EXEMPTION

2003-0194
Application I. D. Number
09/18/2003
Application Date

A & M Partners Lic
Applicant

120 Exchange St, Portland, ME 04101
Applicant's Mailing Address

Nissen's Business Complex
Project Name/Description

59 - 59 Washington Ave, Portland, Maine

Address of Proposed Site
013 1043001

Consultant/Agent
Applicant Ph: (207) 775-2100 Agent Fax:

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify)

B4

Zoning

Acreeage of Site

Proposed Building square Feet or # of Units

Check Review Required:

- Site Plan (major/minor) Subdivision # of lots PAD Review 14-403 Streets Review
- Flood Hazard Shoreland Historic Preservation DEP Local Certification
- Zoning Conditional Use (ZBA/PB) Zoning Variance Other

Fees Paid: Site Plan \$1,000.00 Subdivision Engineer Review Date 09/22/2003

Planning Approval Status:

- Approved Approved w/Conditions See Attached Denied
- Approval Date _____ Reviewer _____
- OK to Issue Building Permit signature _____ date _____ Extension to _____ Additional Sheets Attached

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- Performance Guarantee Accepted _____ date _____ amount _____ expiration date _____
- Inspection Fee Paid _____ date _____ amount _____
- Building Permit Issue _____ date _____
- Performance Guarantee Reduced _____ date _____ remaining balance _____ signature _____
- Temporary Certificate of Occupancy _____ date _____ Conditions (See Attached) _____ expiration date _____
- Final Inspection _____ date _____ signature _____
- Certificate Of Occupancy _____ date _____
- Performance Guarantee Released _____ date _____ signature _____
- Defect Guarantee Submitted _____ submitted date _____ amount _____ expiration date _____
- Defect Guarantee Released _____ date _____ signature _____

CITY OF PORTLAND, MAINE

Department of Building Inspections

App. A 20 03
City of Portland - 36
2955 Waterline

Plumbing (I1) \$ _____

Electrical (I2) \$ 1,000.00

Site Plan (U2) _____

F 043

Total Collected \$ 1,000.00

THIS IS NOT A PERMIT

Work is to be started until PERMIT CARD is actually posted. Acceptance of fee is no guarantee that permit will be issued. PRESERVE THIS RECEIPT. In case permit cannot be issued, the amount of the fee will be refunded upon return of the receipt for \$10.00 or 10% whichever is greater.

[Handwritten signature]

Merchant's Copy
Office Copy
Copy

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: 59-75 WASHINGTON AVE		Zone: B4	
Total Square Footage of Proposed Structure: EXISTING = 152,635 SF		Square Footage of Lot: 131,978 SF	
Tax Assessor's Chart, Block & Lot: Chart# Block# Lot#	Property owner's mailing address:		Telephone #:
13 243 1	ATM PREMIERS, LLC 120 EXCHANGE ST. PORTLAND, ME 04101		775 2100
Consultant/Agent, mailing address, phone # & contact person: SAME	Applicant's name, mailing address, telephone #/Fax#/Page#: SAME	Project name: BUSINESS OFFICES COMPLEX	
<p>Proposed Development (check all that apply)</p> <p><input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Office <input checked="" type="checkbox"/> Retail</p> <p><input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot</p> <p><input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____</p> <p><input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____)</p> <p><input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Stormwater Quality (\$250.00)</p> <p><input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot)</p> <p><input type="checkbox"/> Other _____</p>			
<p>Major Development (more than 10,000 sq. ft.)</p> <p><input type="checkbox"/> Under 50,000 sq. ft. (\$500.00)</p> <p><input checked="" type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00)</p> <p><input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00)</p> <p><input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00)</p> <p><input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00)</p> <p><input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)</p>			
<p>Minor Site Plan Review</p> <p><input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)</p>			
<p>Plan Amendments</p> <p><input type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p>			

- Please see next page -

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

SAME AS OWNER

Submittals shall include (9) separate folded packets of the following:

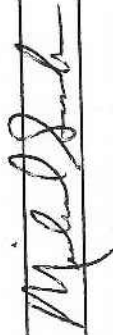
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, & c)
ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11)
you may also visit the web site: ci.portland.me.us chapter 14

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant:



Date:

7/19/03

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.



9/16/03

Sarah Hopkins
Development Review Program Manager
Planning Department
City Hall
389 Congress Street
Portland, Maine 04101

Dear Sarah:

Please accept this letter and application for a major site review for the Nissen's office complex at 59-75 Washington Avenue. This request is for a change of use of up to 61,910 SF of space to business use. Previously this space was used for industrial/manufacturing (37,707 SF) and warehouse storage (24,203 SF).

The complete conversion of all 61,910 SF would be the worst case scenario as far as parking demand, however as with most redevelopments we have experienced, you can never be sure of the final mix of uses until the re-tenanting is complete. The existing parking available after the occupancy of the third floor by Casey Family Services is 122 spaces. Assuming conversion of all remaining spaces to business (office) use, this would service an additional 48,800 SF of build-out. The numbers would be somewhat different if part or all of the space went retail. At the maximum practical retail component of 20,000 SF our required parking would be 225 spaces (41,910 SF/400 SF + 20,000-2,000/150SF). If the end use were all office, the required parking would be 155 spaces (61,910/400 SF). Our final actual requirement might be substantially less if some or most of the available space remains warehouse or manufacturing. The 122 surplus spaces we currently control might, in fact, satisfy our total parking requirement. As we discussed in our recent meeting, it seems to make the most sense to review the building for the worst case scenario.

The approvals we seek under this application therefore would be for a change of use of a total maximum area of 61,910 SF, which would include a maximum potential retail component of 20,000 SF.

As a condition of board approval we would suggest that the planning staff be permitted to approve subsequent phases of the re-tenanting if the final parking requirements exceed the existing parking space availability. This would ensure that adequate parking is

provided by either additional leased parking areas or acquisition of new parking areas. Also attached for your review is a narrative summary of the technical aspects of this site review.

If I can provide any additional information regarding this project please feel free to contact me at 775-2100.

Sincerely,

A handwritten signature in blue ink that reads "Michael Scarks". The signature is written in a cursive style with a large initial "M".

Michael Scarks, President
A & M Partners, LLC

A & M Partners, LLC
Written Statement – Change of Use for 59-75 Washington Avenue

- ITEM # 34 The current uses include warehousing/distribution, office, and light manufacturing. Potential future uses could also include retail.
- ITEM # 35 There is no residential use proposed
- ITEM # 36 The total area of the site is 132,000 +/- SF
- ITEM # 37 The total ground coverage of the building footprint is 80,500 +/- SF
- ITEM # 38 All existing easements are shown on the survey previously submitted. There are no new easements anticipated at this time.
- ITEM # 39 Solid waste is currently handled by the use of an 8 yd dumpster serviced by a local contractor.
- ITEM # 40 All existing off-site utilities formerly served the present structure. The change from manufacturing to mixed use has decreased demand for all existing utilities as well as traffic impact.
- ITEM # 41 We anticipate no problems with topography or drainage. We have already made substantial improvements through minor site review approvals.
- ITEM # 42 We hope to complete the “lease-up” of the entire property within 24 months, depending as always on prevailing market conditions.
- ITEM # 43 There are no State or Federal approvals being sought to complete the project.
- ITEM # 44 There are no pending applications for this project.
- ITEM # 45 N/A
- ITEM # 46 Previously provided
- ITEM # 47 Previously provided

JOHN L. MURPHY, P.E.

Civil Engineer
Traffic Engineer

221 BROWN ROAD
WEST BALDWIN, MAINE 04091
207-625-8222

**Trip Generation
Nissen Bakery Project
by Neptune Properties**

General

The former property was a bakery with a thrift store. There were 325 employees and 166,500 square feet plus the 2500 square foot thrift store. The current project will result in 76,000 square feet of office, 26,000 square feet of warehouse, 4400 square feet of light industrial use and 10,000 square feet of retail space.

Trip Generation - Base Project

The base trip generation is estimated using the Institute of Transportation Engineers' publication "Trip Generation" as follows:

Variable used	Light Industry (110)	
	AM Peak Hour Equation Average	PM Peak Hour Equation Average
Employees (325)	<u>177</u>	<u>182</u>
Square footage (166.5K)	<u>135</u>	<u>112</u>
		<u>166</u>
		<u>180</u>

The underlined trip generation numbers were the best estimates with the employee variable selected as a base condition. The 2500 square feet of retail used as a discount baked goods outlet was subtracted from the proposed 10,000 square feet of retail use for a net future impact.

Trip Generation - Future Project

The same publication was used to estimate future traffic impact:

	AM Peak Hour Equation Average	PM Peak Hour Equation Average
ITE Use (Sq. ft.)		
Use 110 Lt. Industr. (4.4K)	$\frac{4}{15}$	$\frac{5}{16}$
Use 150 Warehousing (26K)	73	65
Use 710 Office (76K)	<u>150</u>	<u>165</u>
Use 814 Specialty retail (7.5K net)	48	<u>37</u>
Future Total Trip Generation	217	223
Increase in Trip Generation	40	41

Conclusion

The new project is estimated to generate 40 additional AM peak hour trips and 41 additional PM peak hour trips from the site.

John L. Munday
11/6/03

REFERENCES

- 1) Portion of Property made for John J. Nissen Co. by Titcomb Associates, dated November 2, 1982, not recorded.
- 2) Plan of Property 101 Washington Ave., made for John J. Nissen Co. by Titcomb Associates, dated February 21, 1983, not recorded.
- 3) Standard Boundary Survey 120 Sheridan St. made for Thomas J. Reedy III and Pamela A. Reedy by Daniel J. Dalfonso, dated July 8, 1990, recorded in Plan Book 155, Page 18.
- 4) Plat Plan Showing Property of Walter A. Cerry by Varny Engineering Co., dated October 8, 1946, recorded in Plan Book 32, Page 28.
- 5) Reclamation plans of Portland dated 1882, recorded in Fish Book 5, Pages 12 and 13.
- 6) Plan of Land in Portland made for John J. Nissen Baking Co. by E.C. Jordan, dated May 1945, not recorded.
- 7) Plan of Property at Portland made for John J. Nissen Baking Co. by H.I. & E.C. Jordan, dated March 1951, not recorded.
- 8) Plan of Property in Portland made for John J. Nissen Baking Co. by H.I. & E.C. Jordan, dated December 17, 1955, not recorded.
- 9) Plan of Property in Portland made for John J. Nissen Baking Co. by H.I. & E.C. Jordan, dated June 25, 1963, not recorded.
- 10) Plan of Land belonging to William Boyd by Charles H. Howe, dated June 1854, recorded in Plan Book 4, Page 44.
- 11) Plan Number 6 in the Partition of the Estate of Robert Boyd recorded January 29, 1841, in Book 150, Page 497.
- 12) Plan #173 of Larch Street and Plans #46 & #47 of Sheridan Street on file in the office of the City Engineer in Portland, Maine.
- 13) Plan of Property in Portland made for Shell Oil Company by H.I. & E.C. Jordan, dated February 7, 1963, not recorded.
- 14) Plan #473/4 of Washington Avenue dated June 14, 1940, on file in the office of the City Engineer in Portland, Maine.
- 15) Plan of Division of Land conveyed by Elijah Kellogg to Sylvanus Cook et al. March 3, 1803, recorded in Book 51, Page 287.
- 16) Plans of Poplar Street (now Sheridan Street) dated 1854 and 1860, on file in the office of the City Engineer of Portland, Maine, Plan #370/53 and #370/55.

EASEMENTS and ENCUMBRANCES

- 1) The property is subject to the following easements to Central Maine Power Company and New England Telephone and Telegraph Company:
 - a) Book 3786, Page 181
 - b) Book 3199, Page 606
 - c) Book 3128, Page 749
 - d) Book 2895, Page 90
 - e) Book 2377, Page 309
 - f) Book 2064, Page 203
 - g) Book 3796, Page 182
- 2) The property is subject to a sewer easement to Romasco Lane and Washington Avenue as shown. No record of this was found.
- 3) The property is subject to a 12-foot wide right of way as shown. See Book 255, Page 128.
- 4) The property benefits from a 9-foot wide easement as shown. See Book 295, Page 297 and Book 5914, Pages 17 and 18.
- 5) The property may be subject to rights of the public in vacated streets (Linden Street and Linden Lane).

NOTES

- 1) Bearings are based on Magnetic North 2002.
- 2) Book and Page references are to the Cumberland County Registry of Deeds.
- 3) Elevations are based on the City of Portland datum. Benchmark: granite monument at the southeast corner of Washington Avenue and Monroe Street. Elevation: 69.30'
- 4) Utility information shown on this plan is approximate, based on field information, locations marked by others and information contained on plans and drawings. Prior to any excavation or construction, the appropriate utilities should be contacted.
- 5) Fee in Murray Lane (a.k.a. Amity Lane) may reside in the Hands of Michael Murray.

OWNERS OF RECORD

Parcels 1, 2 & 4
A & M Partners, LLC
Book 14581, Page 99

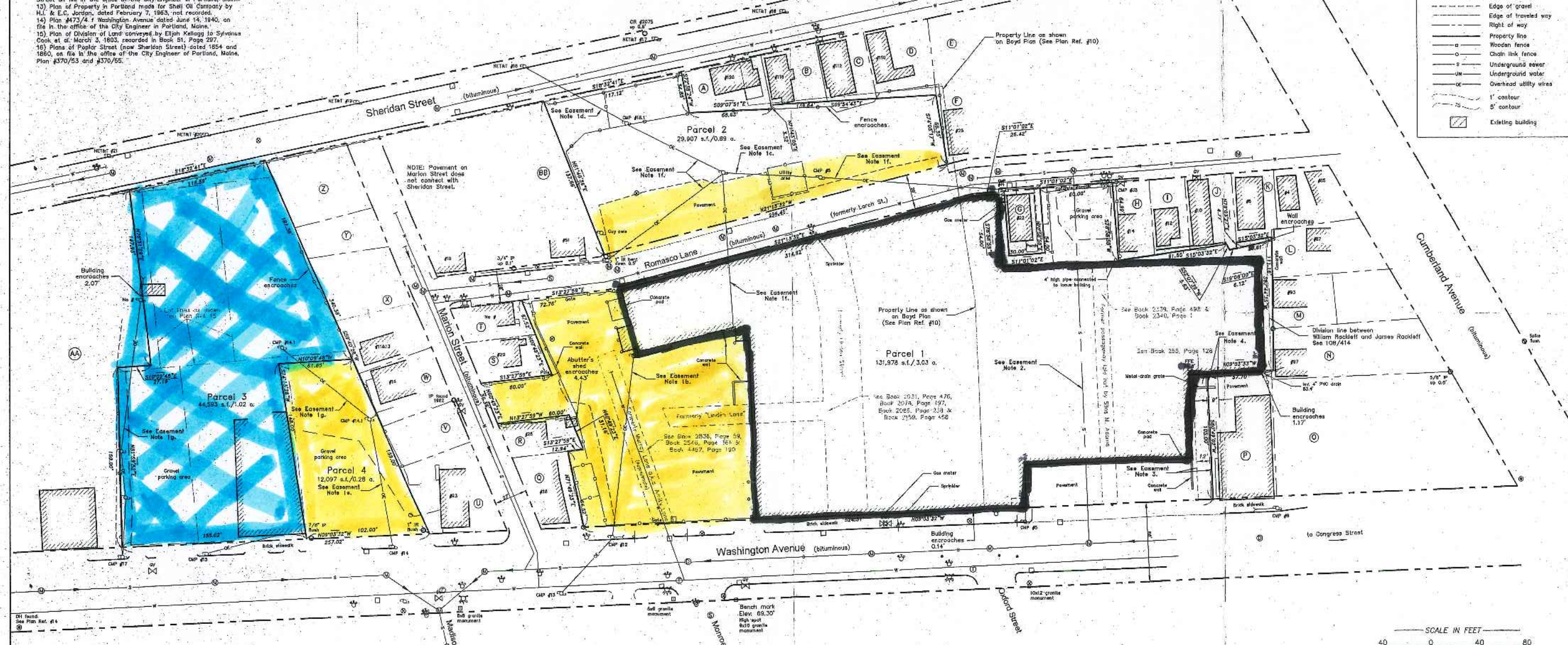
Parcel 3
A.G. Carr Co., Inc.
Book 13507, Page 328

AREA

Parcel 1	131,976 s.f.	3.03 a.
Parcel 2	29,907 s.f.	0.69 a.
Parcel 4	12,097 s.f.	0.28 a.
Subtotal	173,980 s.f.	4.00 a.
Parcel 3	44,593 s.f.	1.02 a.
Total	218,573 s.f.	5.02 a.

LEGEND

- Iron pin found
- Monument found
- Drill hole
- Catch basin
- Sewer manhole
- Drain manhole
- Telephone manhole
- Manhole (unknown type)
- Water shutoff
- Fire hydrant
- Utility pole
- Gas valve
- Valve (unknown type)
- Bellard
- RK nail found
- Sign
- Guy
- Edge of pavement
- Granite curb
- Edge of gravel
- Edge of traveled way
- Right of way
- Property line
- Wooden fence
- Chain link fence
- Underground sewer
- Underground water
- Overhead utility wires
- 1' contour
- 5' contour
- ▨ Existing building



ABUTTERS

- | | | | | | |
|--|--|--|--|--|--|
| (A) N/F
Laura M. Gorham
1089/73
13-1-25 | (F) N/F
Joseph A. Seneo &
Judith L. Seneo
8025/133
13-1-13 | (K) N/F
Joseph J. Carver
8702/252
13-1-23 | (P) N/F
Yarmouth Trading Co.
1736/764
13-1-20 | (U) N/F
Stephen J. Ryder
8031/41
13-1-22 | (Z) N/F
Richard G. Dighton &
Raymond H. Dighton, Jr.
6389/339
12-1-23 |
| (B) N/F
Timothy E. Carlson
13036/199
13-1-8 | (G) N/F
Gerard A. Myall
4637/47
13-1-11 | (L) N/F
Robert J. Fontaine, Jr. &
Frances H. Fontaine
2749/246
13-1-26 | (O) N/F
Jerald H. Larocey, Sr. &
Bertha C. Larocey
11731/258
13-1-1 | (V) N/F
Richard Hogan &
Nancy Hogan
6972/221
12-1-25 | (AA) N/F
Richard G. Dighton &
Raymond H. Dighton, Jr.
6389/339
12-1-23 |
| (C) N/F
Frances A. Brown
13962/286
13-1-10 | (H) N/F
Antonio J. Romasco &
Alice E. Romasco
3350/77
13-1-15 | (M) N/F
Kriszta A. McCarthy
18651/278
13-1-10 | (R) N/F
George H. Larocey, Jr.
10030/240
13-1-1 | (W) N/F
Loretta Johnson
1369/110
12-1-24 | (BB) N/F
Jon F. O'Meara
10569/18
13-1-2 |
| (D) N/F
Savory A. Ord
484/70
13-1-11 | (I) N/F
David W. Fontaine &
Laura J. Fontaine
16409/21
13-1-19 | (N) N/F
Robert A. Arnold &
Theresa Arnold
3287/149
13-1-25 | (S) N/F
Conata J. Ferrante &
Edward J. Ferrante
1289/478
12-1-1 | (X) N/F
Loretta Dobbins
13254/335
12-1-25 | |
| (E) N/F
Deborah J. Ball
4059/205
13-1-12 | (J) N/F
David W. Fontaine &
Laura J. Fontaine
1874/541
13-1-12 | (T) N/F
Tracy Buldi &
Jean Shy Martin
14621/239
13-1-30 | (Y) N/F
Matthew R. Ferrante,
Anthony Ferrante &
Doreen L. Bel
11222/74
13-1-4 | | |

LEASED PARKING

OWNED PARKING

LIMIT OF BUILDING FOOTPRINT

CERTIFICATION

This survey conforms to the current standards of the Maine State Board of Licensure for Land Surveyors except as noted.

Exceptions:
(1) No pins set as of plan date
(2) No descriptions written

Judith N. Soule
Dated: June 19, 2002

Plan of Property
(Former J.J. Nissen Bakery)
Washington Avenue, Romasco Lane,
Sheridan Street & Marlon Street
Portland, Maine

MADE FOR
Neptune Properties, Inc.
120 Exchange Street
Portland, Maine

JOB# 202048 DATE: June 19, 2002 SCALE: 1" = 40'
BOOK# 677
202048.dwg
FILE# B500

Titcomb Associates
133 Gray Road
Falmouth, Maine 04106