

13-K-17

121 Sheridan St.

Sheridan Heights

Shinberg

Consulting

Executive Summary

The following Executive Summary is prepared for the reader's convenience, but is not intended to be a substitute for reading the full report.

Gorrill-Palmer Consulting Engineers, Inc. was retained by Sheridan Street, LLC to prepare this traffic impact study for the proposed residential development on Sheridan Street in Portland, Maine. The site is located on the north side of Sheridan Street between Walnut Street and Cumberland Street. The proposal involves construction of 24 condominium units on the site. For the purposes of this study, the full buildout of the site is assumed to be complete in 2007. A single driveway from Sheridan Street is proposed to access the site. Based on this study, our office has determined the following:

1. The proposed development is forecast to generate 11 trip ends in the weekday AM peak hour and 13 trip ends in the weekday PM peak hour. (Note: A trip end is either a trip in or out of the site. Thus a round trip would equal two trip ends). This level of trip generation does not require a traffic permit from the Maine Department of Transportation.
2. The level of service analyses show that traffic generated by the project does not affect operations at study area intersections.
3. Gorrill-Palmer Consulting Engineers, Inc. referenced the Maine DOT collision records to determine if there were any high crash locations in the project vicinity. No high crash locations were found in the vicinity of the project site.

It is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the local roadway network can accommodate the additional traffic generated by the full buildout of Sheridan Heights.

I. *Existing and Proposed Site*

The site is located on the north side of Sheridan Street, between Walnut Street and Cumberland Avenue, and is currently a three-unit residential building. A site location map has been included in Appendix A.

Proposed for the site are 24 condominium units. For the purposes of this study the full buildout of the site is assumed to be complete in 2007. Access to the site will be from a single driveway off of Sheridan Street. A plan of the proposed site is enclosed in Appendix C.

II. *Background Traffic Conditions*

Gorrill-Palmer Consulting Engineers, Inc. based the study on the following information:

- A site plan prepared by SGC Engineering, LLC dated November 28, 2005.
- Crash data for 2002-2004 provided by the Maine Department of Transportation.
- Turning movement volumes collected on January 4 and 6, 2006 from 3:00 PM to 6:00 PM at the following locations:
 - Sheridan Street at Walnut Street
 - Sheridan Street at Cumberland Avenue

Predevelopment Traffic Volumes

Seasonal Adjustment

The Maine DOT utilizes highway classifications of I, II, or III for state and local roadways. Type I roadways are defined as urban roadways, or those roads that typically see commuter traffic and experience little fluctuation from week to week throughout the year. Type II roadways, or arterial roadways are those that see a combination of commuter and recreational traffic and therefore experience moderate fluctuations during the year. Type III roadways, or recreational roadways are typically used for recreational purposes and experience dramatic seasonal fluctuation.

The study area roadways are considered Type I roadways by MaineDOT. Typically, volumes during the year are adjusted to reflect the 30th highest hour (typically occurring in July or August) of traffic volumes in accordance with MaineDOT guidelines. The traffic volumes were adjusted by 21 percent. Given the urban and residential nature of the study area roadways, it is the opinion of our office that this adjustment is conservative.

Annual Growth

The proposed project is anticipated to be fully operational by 2007. Based on MaineDOT counts, traffic volumes in the vicinity of the project are currently decreasing. Gorrill-Palmer Consulting Engineers, Inc. increased the volumes in the study area by one percent per year to be conservative, which is consistent with prior studies in the area.

Other Development

Approved projects that are not yet opened, as well as projects for which applications have been filed, are required to be included in the predevelopment volumes for this project. In order to determine whether any other projects in the area have been approved, or are ahead in the approval process, whose traffic should be considered as background traffic in the study for this project, our office contacted Mr. Bill Needelman with the City of Portland Planning Department. Although the new Jack Elementary School is currently under construction, it will not have an effect on the design hour volumes.

III. *Trip Generation*

Gorrill-Palmer Consulting Engineers, Inc. utilized the following sources of information to determine trip generation for the site:

The Institute of Transportation Engineers (ITE) publication *Trip Generation*, 7th Edition

Our office compiled the trip generation for the site based on ITE Land Use Codes 220 and 230, Apartment and Residential Condominium/Townhouse, respectively. Based on this information the proposed site is anticipated to generate the following trips:

Trip Generation Based on ITE for Sheridan Heights

Land Use Code	AM Peak Hour	PM Peak Hour
LUC 230 (Condominium)	16	19
Credit LUC 220 (Apartment)	-2	-2
Net Trips	14	17

Trip Generation Adjustment via U.S. Census Data

ITE trip rates are based on surveys of predominantly suburban locations. For a residential project located in downtown Portland, the rate of vehicle use for peak hour trips (typically journey-to-work trips) are lower than the State of Maine as a whole. Therefore, our office utilized journey-to-work information from the U.S. Census. The rate of private vehicle usage for residents of the Portland Peninsula was compared to the state overall:

Drive to Work Rate for Maine Residents: 90%
Drive to Work Rate for Portland Peninsula Residents: 69%

Therefore, our office utilized a reduction factor of $(0.69/0.90) = 0.77$ for the trip generation of the site, resulting in the following:

	AM Peak Hour	PM Peak Hour
Total	11	13

Supporting data for both the trip generation as well as the adjustments based on Census data are enclosed in Appendix C with this report.

IV. *Trip Distribution*

Gorrill-Palmer Consulting Engineers, Inc. has obtained the ratio of entering and exiting traffic from the Institute of Transportation Engineers publication *Trip Generation*, 7th Edition for Land Use Code 230, Residential Condominium/Townhouse, rounding them to the nearest five percent as follows:

AM peak hour:	15% entering, 85% exiting
PM peak hour:	65% entering, 35% exiting

V. *Trip Composition*

For the proposed Sheridan Heights, Gorrill-Palmer Consulting Engineers, Inc. has based the trip assignment on 100% of trips being primary, made for the sole purpose of going to and from the development.

VI. *Trip Assignment*

Trip assignment was based on existing traffic patterns at the study area intersections, the resulting trip distribution and assignment is shown in Figures 4 and 5 of Appendix A.

VII. *2007 Postdevelopment Traffic*

The anticipated year 2007 predevelopment traffic shown in Figure 3 of Appendix A has been combined with the traffic forecast for the development shown in Figure 5 of Appendix A to yield the 2007 postdevelopment traffic shown in Figure 6 of Appendix A for the PM peak hour.

VIII. *Study Area*

The study area includes the following intersections:

- Sheridan Street at Walnut Street
- Sheridan Street at Cumberland Avenue

IX. Capacity Analyses

Gorrill-Palmer Consulting Engineers, Inc. completed capacity analyses for the intersections listed in Section VIII.

The analysis was completed with HCS2000 analysis software, with outputs based on the HCS methodology. Levels of service rankings are similar to the academic ranking system where an 'A' is very good with little control delay and an 'F' represents very poor conditions. A level of service 'D' and higher is desirable for a signalized intersection. At an unsignalized intersection, if the level of service falls below a 'D', an evaluation should be made to determine if a traffic signal is warranted.

The following tables summarize the relationship between control delay and level of service:

Level of Service Criteria for Signalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Up to 10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	Greater than 80.0

Level of Service Criteria for Unsignalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The results of the capacity analyses are summarized as follows. The detailed analyses are included in Appendix B.

Level of Service for Walnut Street at Sheridan Street

Lane Group	2007 PM Peak Hour			
	Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS
Walnut Street EB LTR	<1	A	<1	A
Walnut Street WB LTR	8	A	8	A
Sheridan Street NB LTR	10	A	1	A

Level of Service for Cumberland Avenue at Sheridan Street

Lane Group	2007 PM Peak Hour			
	Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS
Cumberland Avenue EB LTR	7	A	7	A
Cumberland Avenue WB LTR	8	A	8	A
Walnut Street WB LTR	11	B	11	B
Sheridan Street NB LTR	10	A	10	A

Level of Service for Sheridan Street at Site Drive

Lane Group	2007 PM Peak Hour			
	Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS
Site Drive EB LTR	-	-	9	A
Sheridan Street NB LTR	<1	A	<1	A
Sheridan Street SB LTR	<1	A	7	A

Based on the above tables, these intersections operate acceptably for both predevelopment and postdevelopment scenarios. Addition of site-generated traffic does not affect the level of service at these locations.

X. *Sight Distance Evaluation*

The Maine Department of Transportation has guidelines for sight distances at driveways within urban compacts. The sight line standards for driveways in an urban compact are as follows:

Maine DOT Standards for Sight Distance

Posted Speed (mph)	Sight Distance
25	200
30	250
35	305
40	360
45	425
50	495
55	570

Gorrill-Palmer Consulting Engineers, Inc. has evaluated the available sight lines at the proposed Sheridan Heights driveway on Sheridan Street in accordance with Maine DOT standards.

The Maine DOT standards are as follows:

Driveway observation point:	10 feet off major street travelway
Height of eye at driveway:	3 ½ feet above ground
Height of approaching vehicle:	4 ¼ feet above road surface

The posted speed on Sheridan Street in the vicinity of the site driveways is 25 mph.

Based on the site review, sight distances looking to the left and right from the driveway will exceed 200 feet. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed three feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

XI. *Crash Data*

In order to evaluate whether a location has a crash problem, Maine DOT uses two criteria to define High Crash Locations (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual accident rate to the rate for similar intersections in the State. A CRF of less than 1.00 indicates a rate less than average) and:
2. A minimum of 8 crashes over a three-year period.

Our office reviewed the 2002-2004 crash data and found there were no high crash locations in the vicinity of the project site.

XII. *Conclusions*

Gorrill-Palmer Consulting Engineers, Inc. has examined the impact of the traffic associated with the proposed Sheridan Heights project in Portland and reached the following conclusions:

1. The proposed development is forecast to generate 11 trip ends in the weekday AM peak hour and 13 trip ends in the weekday PM peak hour. (Note: A trip end is either a trip in or out of the site. Thus a round trip would equal two trip ends). At this level of trip generation, this project does not require a traffic permit from the Maine Department of Transportation.
2. The level of service analyses show that traffic generated by the project does not affect operations at study area intersections.
3. Gorrill-Palmer Consulting Engineers, Inc. referenced the Maine DOT collision records to determine if there were any high crash locations in the project vicinity. No high crash locations were found in the vicinity of the project site.

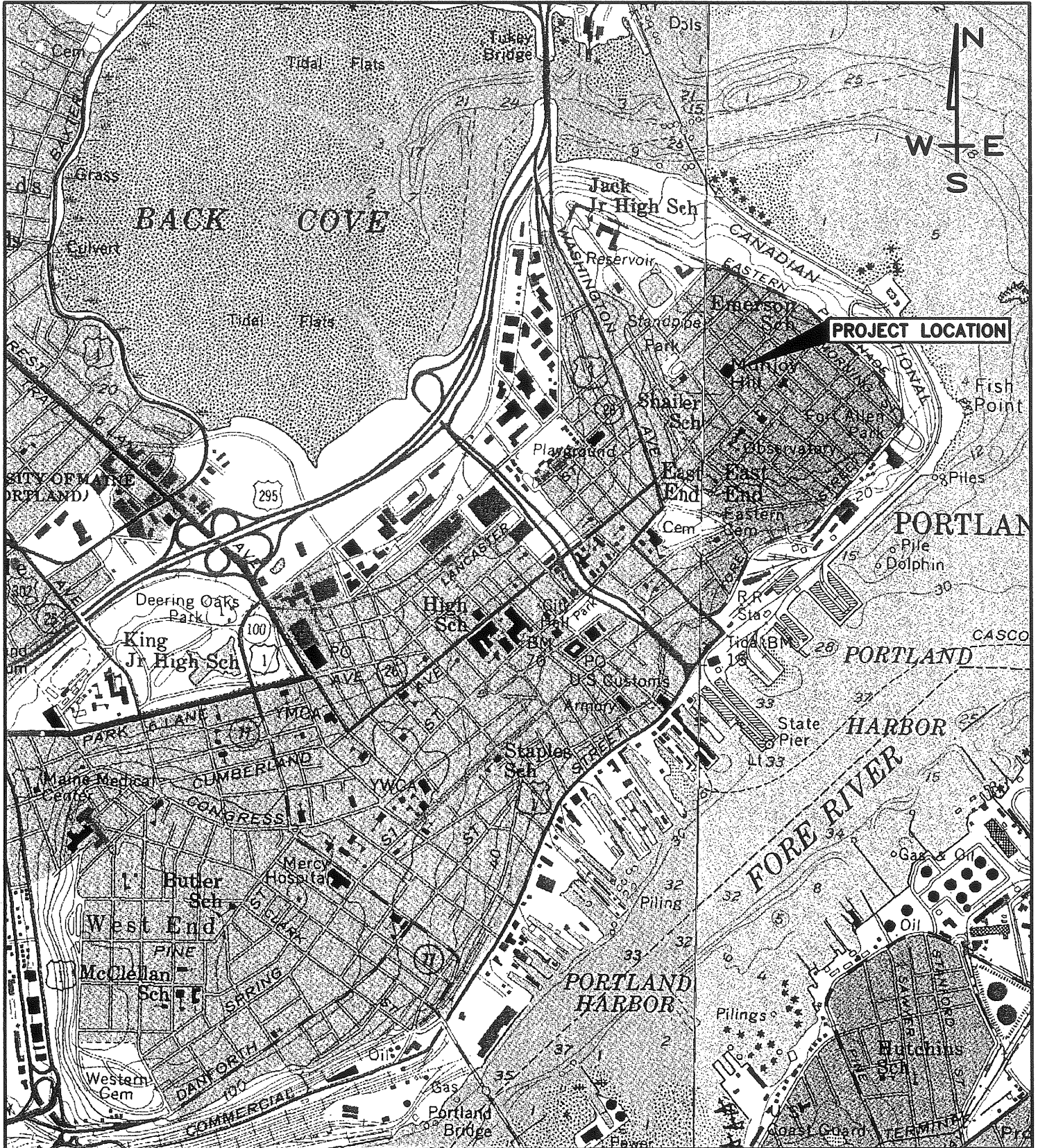
It is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the local roadway network can accommodate the additional traffic generated by the full buildout of Sheridan Heights.

Appendix A
Site Location Map
Turning Movement Diagrams

Location Map

Figure No.

1



SHERIDAN HEIGHTS, PORTLAND, MAINE



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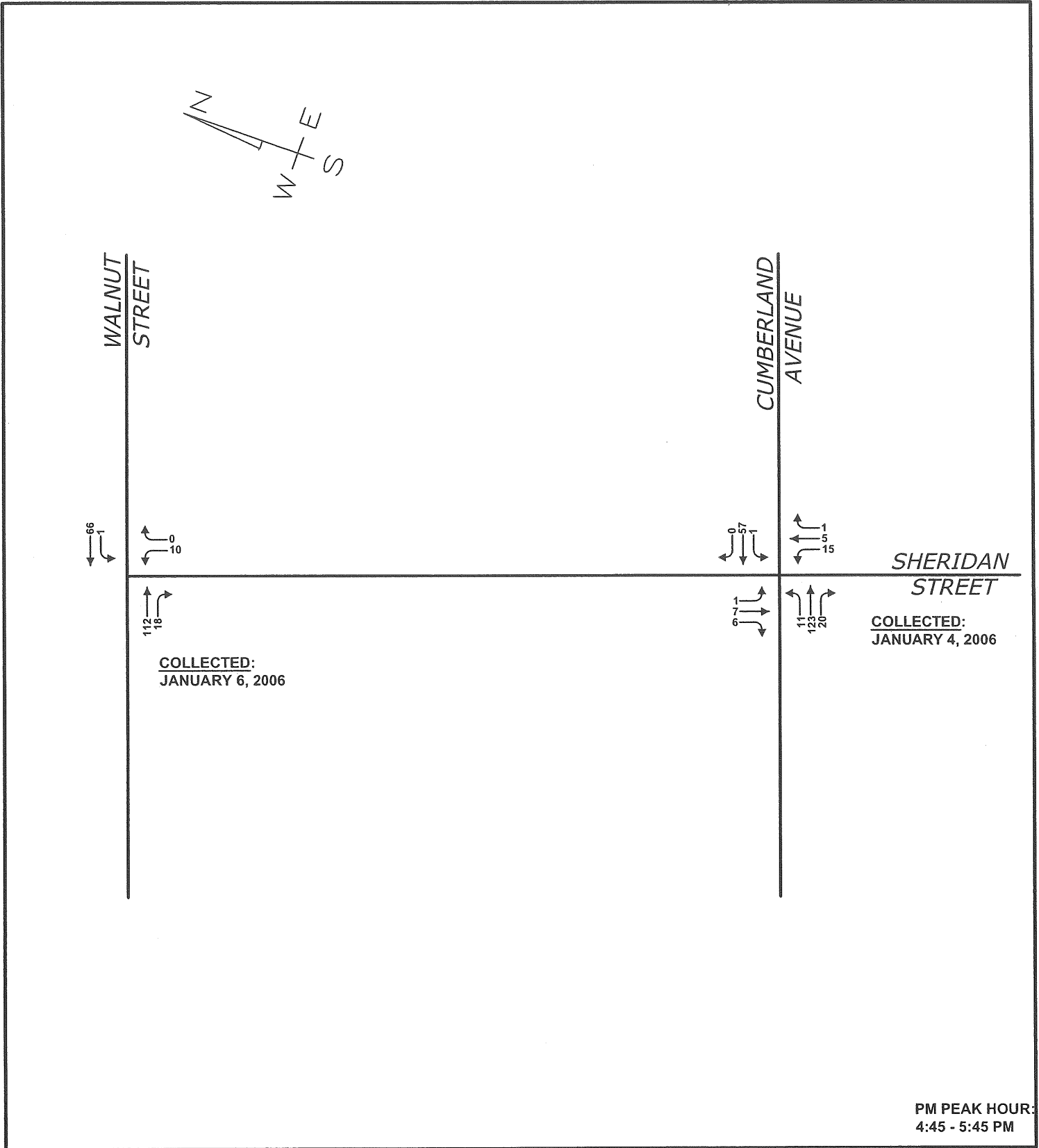
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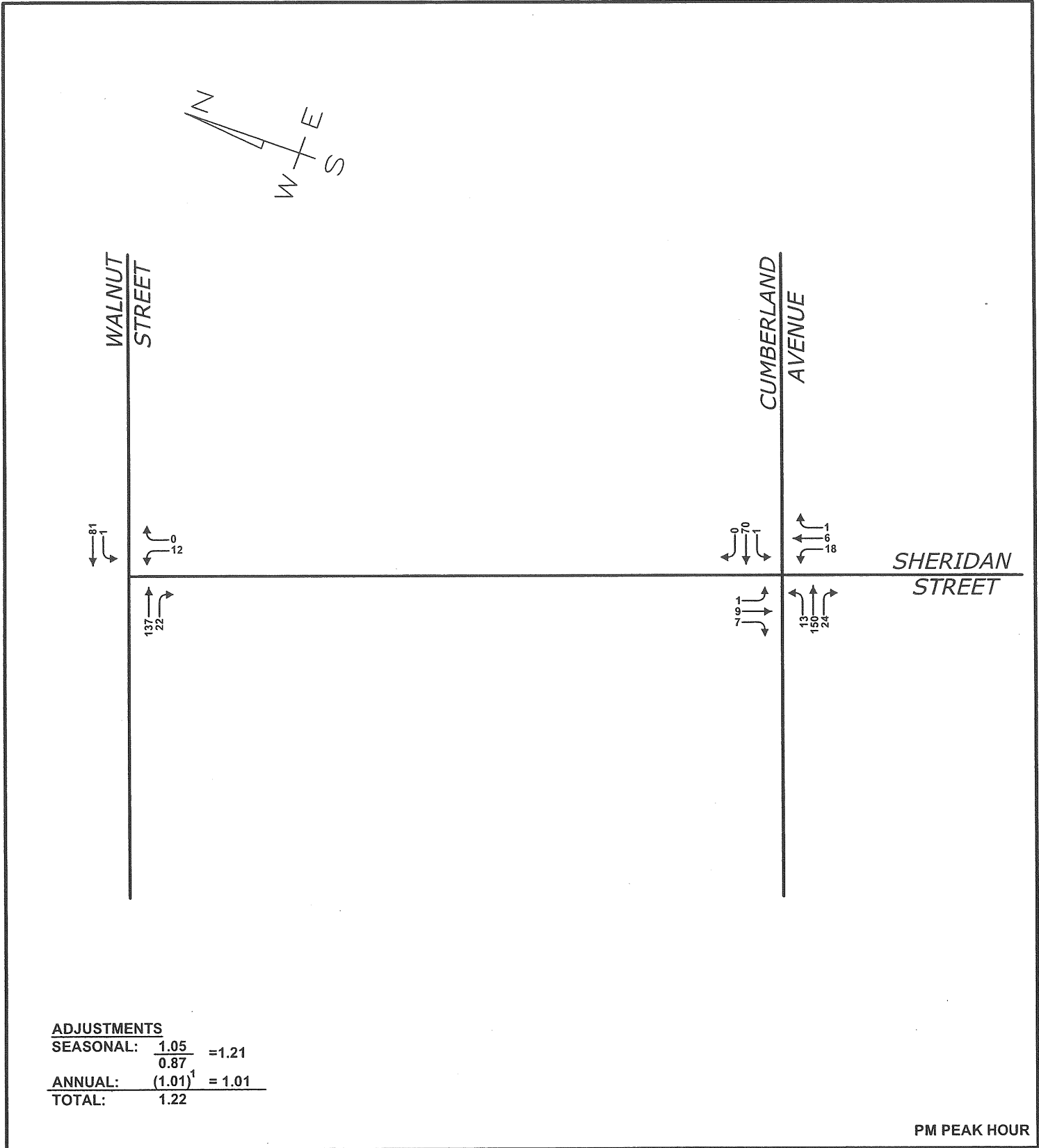
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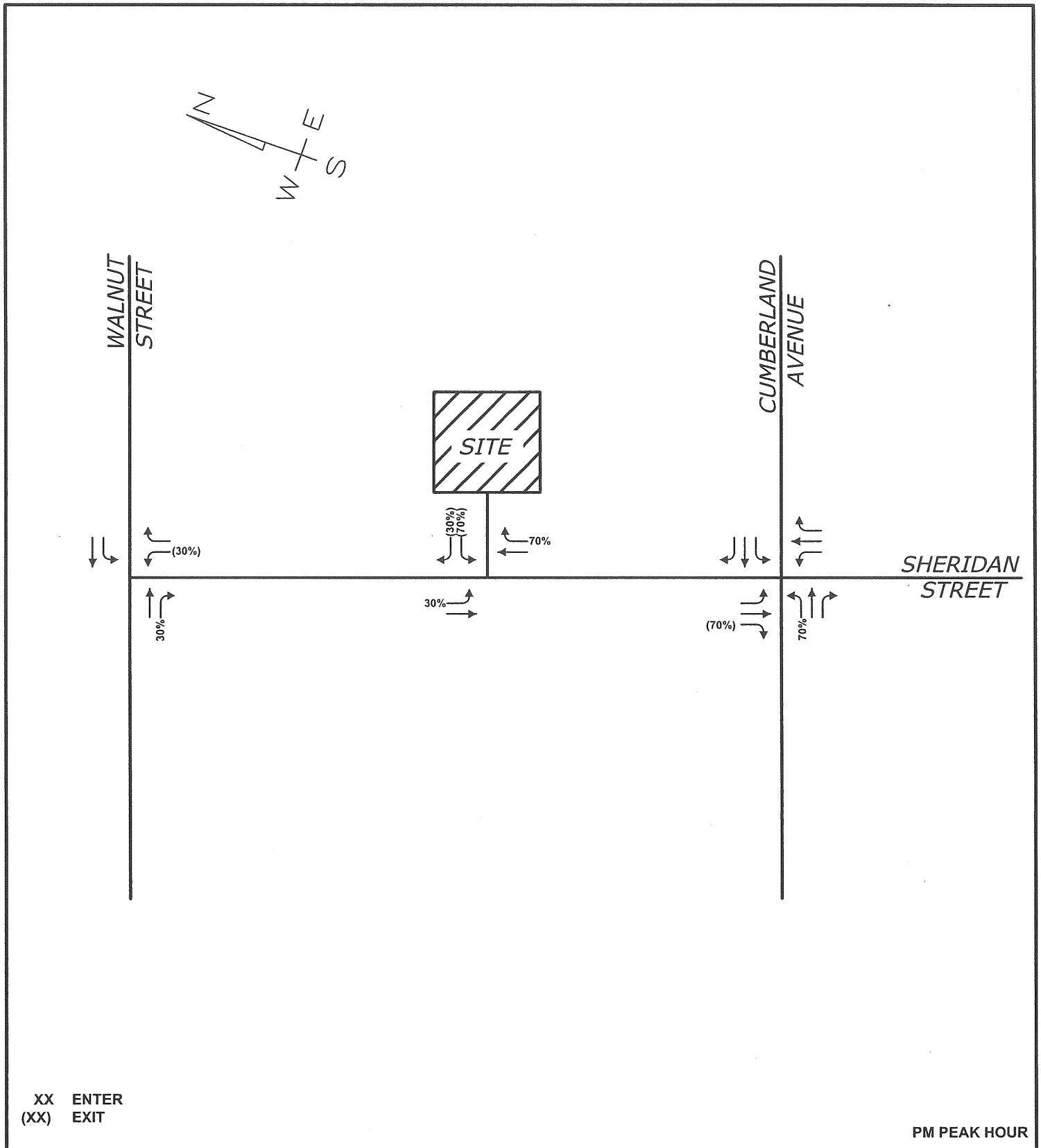


SHERIDAN HEIGHTS, PORTLAND, MAINE

Trip Distribution

Figure No.

4



SHERIDAN HEIGHTS, PORTLAND, MAINE

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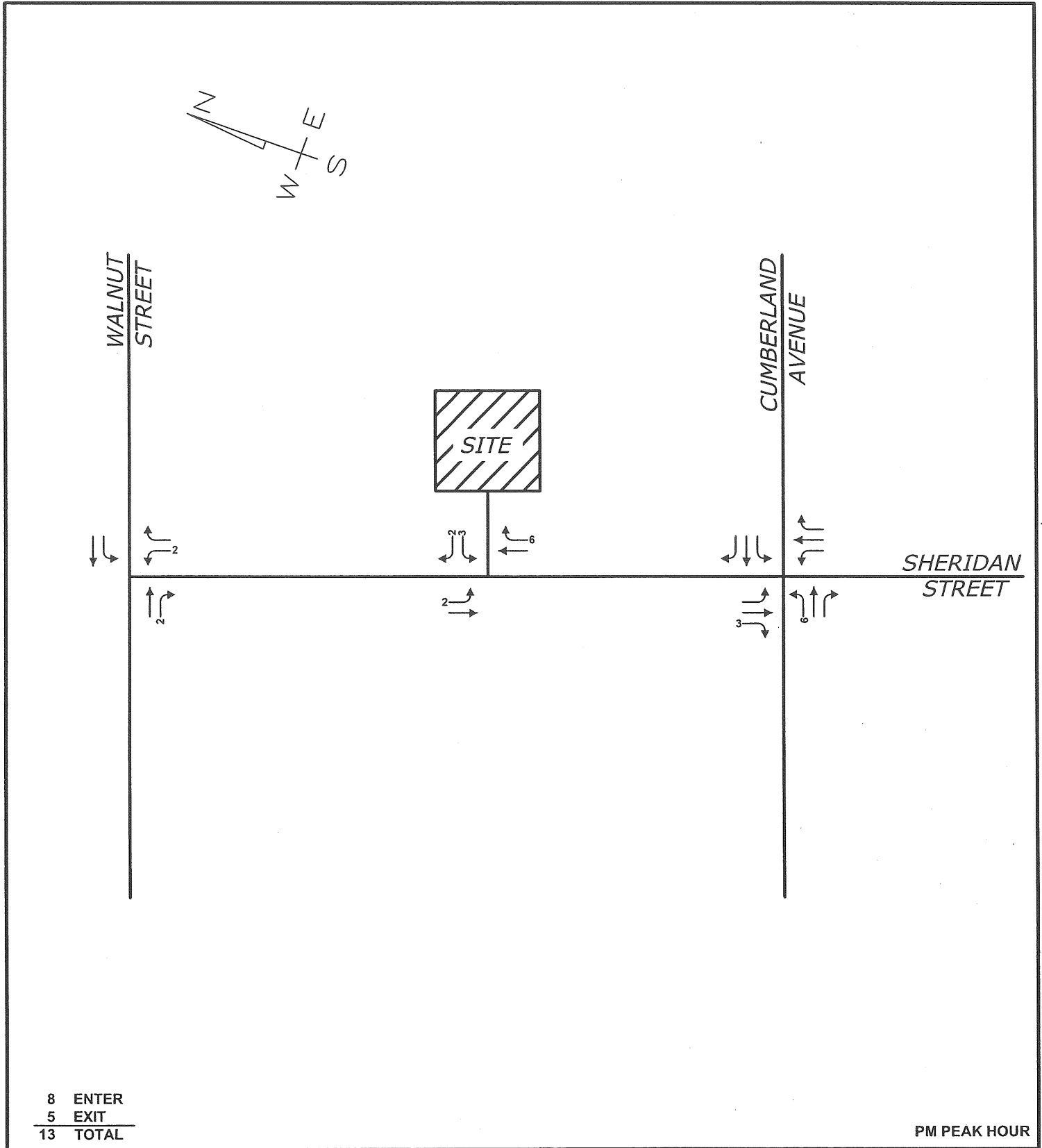
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Trip Distribution

Figure No.

5



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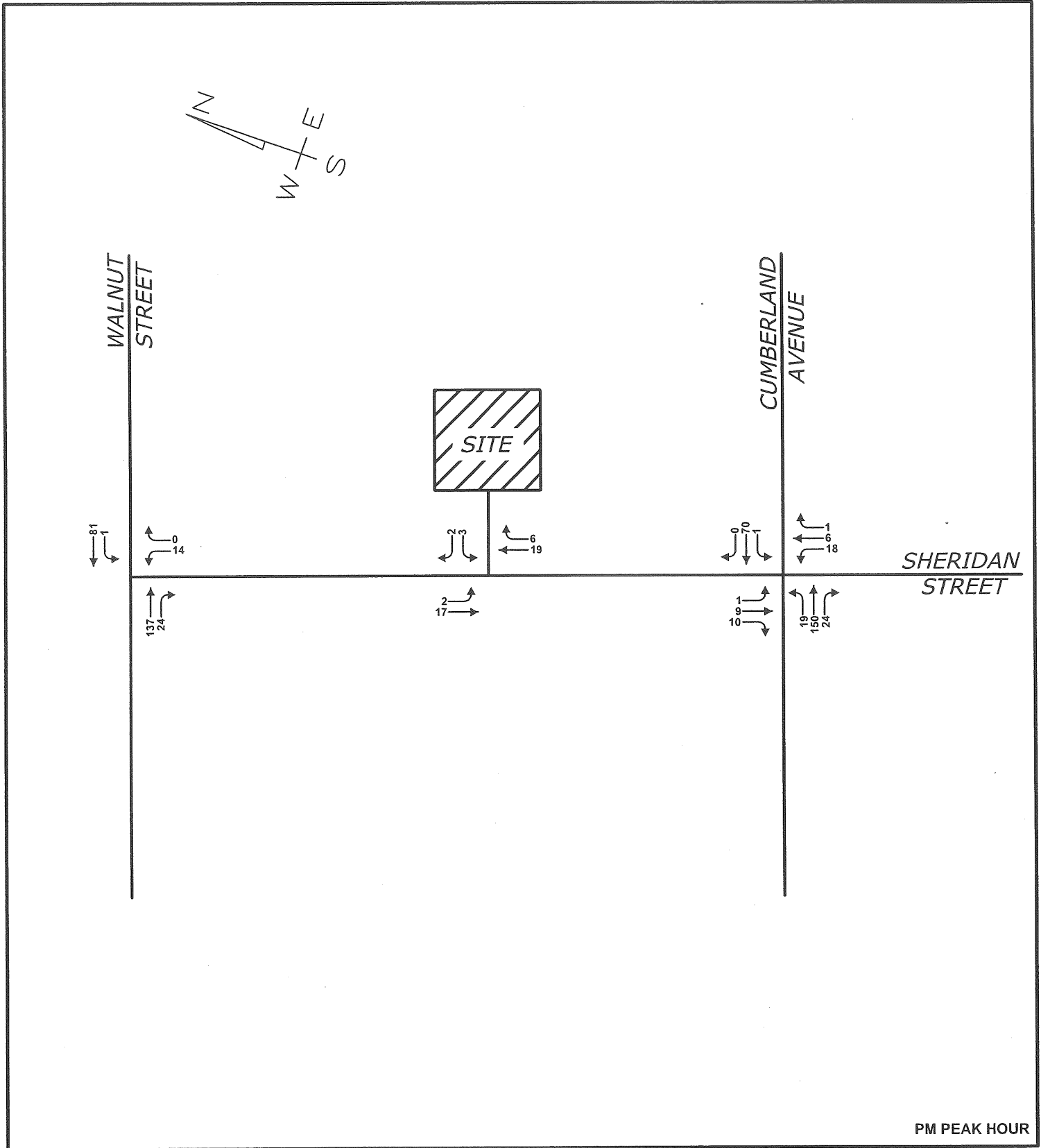
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PM PEAK HOUR

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File Name: 1344_TRAF.dwg

Appendix B
Capacity and Queuing
Analysis Results

TWO-WAY STOP CONTROL SUMMARY								
General Information					Site Information			
Analyst	R. Barnes				Intersection	Walnut St. at Sheridan St.		
Agency/Co.	GPCEI				Jurisdiction	City of Portland		
Date Performed	1/9/2006				Analysis Year	2007		
Analysis Time Period	4:45 - 5:45 PM							
Project Description JN 1344 - Predevelopment								
East/West Street: Walnut Street					North/South Street: Sheridan Street			
Intersection Orientation: East-West					Study Period (hrs): 1.00			
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	0	137	22	1	81	0		
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92		
Hourly Flow Rate (veh/h)	0	148	23	1	88	0		
Proportion of heavy vehicles, P _{HV}	0	--	--	0	--	--		
Median type	Undivided							
RT Channelized?			0				0	
Lanes	0	1	0	0	1	0		
Configuration			TR	LT				
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	12	0	0	0	0	0		
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92		
Hourly Flow Rate (veh/h)	13	0	0	0	0	0		
Proportion of heavy vehicles, P _{HV}	4	0	4	0	0	0		
Percent grade (%)	0			0				
Flared approach		N			N			
Storage		0			0			
RT Channelized?			0				0	
Lanes	0	0	0	0	0	0		
Configuration		LR						
Control Delay, Queue Length, Level of Service								
Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LR				
Volume, v (vph)		1		13				
Capacity, c _m (vph)		1418		733				
v/c ratio		0.00		0.02				
Queue length (95%)		0.00		0.05				
Control Delay (s/veh)		7.5		10.0				

LOS		A	A				
Approach delay (s/veh)	--	--	10.0				
Approach LOS	--	--	A				

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TWO-WAY STOP CONTROL SUMMARY							
General Information				Site Information			
Analyst	R. Barnes			Intersection	Walnut St. at Sheridan St.		
Agency/Co.	GPCEI			Jurisdiction	City of Portland		
Date Performed	1/9/2006			Analysis Year	2007		
Analysis Time Period	4:45 - 5:45 PM						
Project Description JN 1344 - Postdevelopment							
East/West Street: Walnut Street				North/South Street: Sheridan Street			
Intersection Orientation: East-West				Study Period (hrs): 1.00			
Vehicle Volumes and Adjustments							
Major Street	Eastbound			Westbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	0	137	24	1	81	0	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	
Hourly Flow Rate (veh/h)	0	148	26	1	88	0	
Proportion of heavy vehicles, P _{HV}	0	--	--	0	--	--	
Median type	Undivided						
RT Channelized?			0			0	
Lanes	0	1	0	0	1	0	
Configuration			TR	LT			
Upstream Signal		0			0		
Minor Street	Northbound			Southbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	14	0	0	0	0	0	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	
Hourly Flow Rate (veh/h)	15	0	0	0	0	0	
Proportion of heavy vehicles, P _{HV}	4	0	4	0	0	0	
Percent grade (%)	0			0			
Flared approach		N			N		
Storage		0			0		
RT Channelized?			0			0	
Lanes	0	0	0	0	0	0	
Configuration		LR					
Control Delay, Queue Length, Level of Service							
Approach	EB	WB	Northbound			Southbound	
Movement	1	4	7	8	9	10	11
Lane Configuration		LT		LR			
Volume, v (vph)		1		15			
Capacity, c _m (vph)		1415		732			
v/c ratio		0.00		0.02			
Queue length (95%)		0.00		0.06			
Control Delay (s/veh)		7.5		10.0			

LOS		A	B				
Approach delay (s/veh)	--	--	10.0				
Approach LOS	--	--	B				

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TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	R. Barnes			Intersection	Cumberland Av. at Sheridan St.			
Agency/Co.	GPCEI			Jurisdiction	City of Portland			
Date Performed	1/9/2006			Analysis Year	2007			
Analysis Time Period	4:45 - 5:45 PM							
Project Description JN 1344 - Predevelopment								
East/West Street: Cumberland Avenue				North/South Street: Sheridan Street				
Intersection Orientation: East-West				Study Period (hrs): 1.00				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	13	150	24	1	70	0		
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92		
Hourly Flow Rate (veh/h)	14	163	26	1	76	0		
Proportion of heavy vehicles, P _{HV}	5	--	--	0	--	--		
Median type	Undivided							
RT Channelized?			0				0	
Lanes	0	1	0	0	1	0		
Configuration	LTR			LTR				
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	18	6	1	1	9	7		
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92		
Hourly Flow Rate (veh/h)	19	6	1	1	9	7		
Proportion of heavy vehicles, P _{HV}	3	4	0	0	0	5		
Percent grade (%)	0			0				
Flared approach		N			N			
Storage		0			0			
RT Channelized?			0			0		
Lanes	0	1	0	0	1	0		
Configuration		LTR			LTR			
Control Delay, Queue Length, Level of Service								
Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LTR	LTR	LTR			LTR		
Volume, v (vph)	14	1	26			17		
Capacity, c _m (vph)	1504	1397	642			728		
v/c ratio	0.01	0.00	0.04			0.02		
Queue length (95%)	0.03	0.00	0.13			0.07		

Control Delay (s/veh)	7.4	7.6		10.8			10.1	
LOS	A	A		B			B	
Approach delay (s/veh)	--	--		10.8			10.1	
Approach LOS	--	--		B			B	

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TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	R. Barnes			Intersection	Cumberland Av. at Sheridan St.			
Agency/Co.	GPCEI			Jurisdiction	City of Portland			
Date Performed	1/9/2006			Analysis Year	2007			
Analysis Time Period	4:45 - 5:45 PM							
Project Description JN 1344 - Postdevelopment								
East/West Street: Cumberland Avenue				North/South Street: Sheridan Street				
Intersection Orientation: East-West				Study Period (hrs): 1.00				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	19	150	24	1	70	0		
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92		
Hourly Flow Rate (veh/h)	20	163	26	1	76	0		
Proportion of heavy vehicles, P _{HV}	5	--	--	0	--	--		
Median type	Undivided							
RT Channelized?			0			0		
Lanes	0	1	0	0	1	0		
Configuration	LTR			LTR				
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	18	6	1	1	9	10		
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92		
Hourly Flow Rate (veh/h)	19	6	1	1	9	10		
Proportion of heavy vehicles, P _{HV}	3	4	0	0	0	5		
Percent grade (%)	0			0				
Flared approach		N			N			
Storage		0			0			
RT Channelized?			0			0		
Lanes	0	1	0	0	1	0		
Configuration		LTR			LTR			
Control Delay, Queue Length, Level of Service								
Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LTR	LTR		LTR			LTR	
Volume, v (vph)	20	1	26			20		
Capacity, c _m (vph)	1504	1397	627			747		
v/c ratio	0.01	0.00	0.04			0.03		
Queue length (95%)	0.04	0.00	0.13			0.08		

Control Delay (s/veh)	7.4	7.6		11.0			10.0	
LOS	A	A		B			A	
Approach delay (s/veh)	--	--	11.0			10.0		
Approach LOS	--	--	B			A		

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TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	R. Barnes			Intersection	Sheridan St. at Site Drive		
Agency/Co.	GPCEI			Jurisdiction	City of Portland		
Date Performed	1/9/2006			Analysis Year	2007		
Analysis Time Period	4:45 - 5:45 PM						
Project Description JN 1344 - Postdevelopment							
East/West Street: Site Drive				North/South Street: Sheridan Street			
Intersection Orientation: North-South				Study Period (hrs): 1.00			
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume	18	19	6	2	17	10	
Peak-Hour Factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	
Hourly Flow Rate, HFR	0	20	6	2	18	0	
Percent Heavy Vehicles	3	--	--	0	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration			TR	LT			
Upstream Signal		0			0		
Minor Street	Westbound			Eastbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume	3	70	2	19	150	24	
Peak-Hour Factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	
Hourly Flow Rate, HFR	3	0	2	0	0	0	
Percent Heavy Vehicles	0	0	0	5	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	0	0	0	
Configuration		LR					
Delay, Queue Length, and Level of Service							
Approach	NB	SB	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11
Lane Configuration		LT		LR			
v (vph)		2		5			
C (m) (vph)		1601		1003			
v/c		0.00		0.00			
95% queue length		0.00		0.02			
Control Delay		7.3		8.6			
LOS		A		A			
Approach Delay	--	--	8.6				
Approach LOS	--	--	A				

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Version 4.1d

Appendix C
Trip Generation Calculations
U.S. Census Data
Site Plan

JN: 1344
 Project Description: Sheridan Heights
 Project Location: Portland, Maine
 Date: 9-Jan-06

Gorrill-Palmer Consulting Engineers, Inc.
 P.O. Box 1237
 15 Shaker Road
 Gray, Maine 04039

Residential Condominium/Townhouse
 Land Use Code (LUC) 230

Dwelling Units: 24

Average Rate

Time Period	ITE Trip Rate	Sample Size	Trip Ends	Directional Split * IN OUT	Directional Distribution IN OUT	R ²
Weekday	T = 5.86 (X)	54	141	50% 50%	71 70	N/A
Peak Hour of Adjacent Street Traffic 7-9 AM	T = 0.44 (X)	59	11	15% 85%	2 9	N/A
Peak Hour of Adjacent Street Traffic 4-6 PM	T = 0.52 (X)	62	12	65% 35%	8 4	N/A
AM Peak Hour of Generator	T = 0.44 (X)	52	11	20% 80%	2 9	N/A
PM Peak Hour of Generator	T = 0.52 (X)	50	12	65% 35%	8 4	N/A
Saturday	T = 5.67 (X)	30	136	50% 50%	68 68	N/A
Saturday Peak Hour of Gen.	T = 0.47 (X)	27	11	55% 45%	6 5	N/A

* Percentages rounded to nearest 5%

Fitted Curve Equation

Time Period	ITE Trip Rate	Sample Size	Trip Ends	Directional Split * IN OUT	Directional Distribution IN OUT	R ²
Weekday	$\ln(T) = 0.85 \ln(X) + 2.55$	54	191	50% 50%	96 95	0.83
Peak Hour of Adjacent Street Traffic 7-9 AM	$\ln(T) = 0.80 \ln(X) + 0.26$	59	16	15% 85%	2 14	0.76
Peak Hour of Adjacent Street Traffic 4-6 PM	$\ln(T) = 0.82 \ln(X) + 0.32$	62	19	65% 35%	12 7	0.80
AM Peak Hour of Generator	$\ln(T) = 0.82 \ln(X) + 0.17$	52	16	20% 80%	3 13	0.80
PM Peak Hour of Generator	T = 0.34 (X) + 38.31	50	46	65% 35%	30 16	0.83
Saturday	T = 3.62 (X) + 427.93	30	515	50% 50%	258 257	0.84
Saturday Peak Hour of Gen.	T = 0.29 (X) + 42.63	27	50	55% 45%	28 22	0.84

* Percentages rounded to nearest 5%

JN: 1344
 Project Description: Sheridan Heights
 Project Location: Portland
 Date: 1/9/2006

Gorrill-Palmer Consulting Engineers, Inc.
 P.O. Box 1237
 15 Shaker Road
 Gray, Maine 04039

**Apartment
 Land Use Code (LUC) 220**

Dwelling Units: 3

Average Rate

Time Period	ITE Trip Rate	Sample Size	Trip Ends	Directional Split *		Directional Distribution		R ²
				IN	OUT	IN	OUT	
Weekday	T = 6.72 (X)	86	20	50%	50%	10	10	N/A
AM Peak Hour of Adj. Street Traffic	T = 0.51 (X)	78	2	20%	80%	0	2	N/A
PM Peak Hour of Adj. Street Traffic	T = 0.62 (X)	90	2	65%	35%	1	1	N/A
AM Peak Hour of Generator	T = 0.55 (X)	81	2	30%	70%	1	1	N/A
PM Peak Hour of Generator	T = 0.67 (X)	83	2	60%	40%	1	1	N/A
Saturday	T = 6.39 (X)	15	19	50%	50%	10	9	N/A
Saturday Peak Hour of Gen.	T = 0.52 (X)	14	2	**	**	1	1	N/A

* Percentages rounded to nearest 5%

** Not Available (Assumption)

Fitted Curve Equation

Time Period	ITE Trip Rate	Sample Size	Trip Ends	Directional Split *		Directional Distribution		R ²
				IN	OUT	IN	OUT	
Weekday	T = 6.01 (X) + 150.35	86	168	50%	50%	84	84	0.88
AM Peak Hour of Adj. Street Traffic	T = 0.49 (X) + 3.73	78	5	20%	80%	1	4	0.83
PM Peak Hour of Adj. Street Traffic	T = 0.55 (X) + 17.65	90	19	65%	35%	13	6	0.77
AM Peak Hour of Generator	T = 0.53 (X) + 4.21	81	6	30%	70%	2	4	0.82
PM Peak Hour of Generator	T = 0.60 (X) + 17.52	83	19	60%	40%	12	7	0.80
Saturday	T = 7.85 (X) - 256.19	15	-233	50%	50%	-116	-117	0.85
Saturday Peak Hour of Gen.	T = 0.41 (X) + 19.23	14	20	**	**	10	10	0.56

* Percentages rounded to nearest 5%

** Not Available (Assumption)



Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

Result contains 1 row.

	P030001	P030002	P030003	P030004	P030005	P030006	P030007	P030008	P030009	P030010	P030011	P030012	P03
Workers 16 years and over: Total	615,144	552,525	483,317	69,208	5,217	3,220	84	135	77	451	1,250	234	
Workers 16 years and over: Means of transportation to work; truck; or van							Workers 16 years and over: Means of transportation to work; Public Streetcar or trolley car (p-blico in Puerto Rico)	Workers 16 years and over: Means of transportation to work; Public Subway or elevated	Workers 16 years and over: Means of transportation to work; Public Railroad	Workers 16 years and over: Means of transportation to work; Public Ferryboat	Workers 16 years and over: Means of transportation to work; Public Taxicab	Workers 16 years and over: Means of transportation to work; Motorcycle	Workers 16 years and over: Means of transportation to work; Bicycle

NOTE: A hyphen (-) indicates that data are not available for this geographic area for the selected data element (column) in your custom table. Please consult the Census 2000 Summary File 3 (SF 3) - Sample Data Technical Documentation (PDF 6.92MB) for more information.

96% drove to work



Data Set: Census_2000_Summary_File_3 (SF 3) - Sample Data

Result contains 9 rows.

	P030001	P030002	P030003	P030004	P030005	P030006	P030007	P030008	P030009	P030010	P030011	P030012
	Workers 16 years and over: Total	Workers 16 years and over: Means of transportation to work; Car; truck; or van	Workers 16 years and over: Means of transportation to work; Car; truck; or van; Drove alone	Workers 16 years and over: Means of transportation to work; Car; truck; or van; Carpooled	Workers 16 years and over: Means of transportation to work; Public transportation; Bus or trolley bus	Workers 16 years and over: Means of transportation to work; Public transportation; Streetcar or trolley car (p-blico in Puerto Rico)	Workers 16 years and over: Means of transportation to work; Public transportation; Subway or elevated	Workers 16 years and over: Means of transportation to work; Public transportation; Railroad	Workers 16 years and over: Means of transportation to work; Public transportation; Ferryboat	Workers 16 years and over: Means of transportation to work; Public transportation; Taxicab	Workers 16 years and over: Means of transportation to work; Motorcycle	
Census Tract 1, Cumberland County, Maine	1,201	943	759	184	67	51	0	0	0	0	16	0
Census Tract 2, Cumberland County, Maine	1,489	1,199	1,048	151	68	51	0	0	0	0	17	0
Census Tract 3, Cumberland County, Maine	1,644	876	812	64	166	131	0	9	0	0	26	0
Census Tract 5, Cumberland County, Maine	871	682	530	152	59	59	0	0	0	0	0	0
Census Tract 6, Cumberland County, Maine	1,316	867	682	185	109	84	0	0	0	0	25	0
Census Tract 10, Cumberland County, Maine	1,766	1,144	865	279	121	102	0	0	0	0	19	8

	P030001	P030002	P030003	P030004	P030005	P030006	P030007	P030008	P030009	P030010	P030011	P030012
	Workers 16 years and over: Total	Workers 16 years and over: Means of transportation to work; Car; truck; or van	Workers 16 years and over: Means of transportation to work; Car; truck; or van; Drove alone	Workers 16 years and over: Means of transportation to work; Car; truck; or van; Carpooled	Workers 16 years and over: Means of transportation to work; Public transportation	Workers 16 years and over: Means of transportation to work; Public transportation; Bus or trolley bus	Workers 16 years and over: Means of transportation; Public Streetcar or trolley car (publico in Puerto Rico)	Workers 16 years and over: Means of transportation to work; Public transportation; Subway or elevated	Workers 16 years and over: Means of transportation to work; Public transportation; Railroad	Workers 16 years and over: Means of transportation to work; Public transportation; Ferryboat	Workers 16 years and over: Means of transportation to work; Public transportation; Taxicab	Workers 16 years and over: Means of transportation to work; Motorcycle
Census Tract 11, Cumberland County, Maine	1,432	957	819	138	33	33	0	0	0	0	0	8
Census Tract 12, Cumberland County, Maine	792	565	446	119	6	6	0	0	0	0	0	0
Census Tract 13, Cumberland County, Maine	2,037	1,365	1,161	204	121	107	0	0	0	0	14	0

NOTE: A hyphen (-) indicates that data are not available for this geographic area for the selected data element (column) in your custom table. Please consult the Census 2000 Summary File 3 (SF 3) - Sample Data Technical Documentation (PDF 6.92MB) for more information.

12,548
8,608
69% drove to work (23% reduction)

From: "Thomas Errico" <terrigo@wilbursmith.com>
To: "'Kandi Talbot'" <KCOTE@portlandmaine.gov>
Date: 02/02/2006 11:08:39 AM
Subject: Sheridan Street R-7 Zoning Amendment
CC: "'Katherine Earley'" <KAS@portlandmaine.gov>

Kandi-

I have reviewed the traffic impact study prepared by Gorrill-Palmer Consulting Engineers, Inc. dated January 2006 and generally agree with their conclusions that the proposed project will not significantly impact traffic operations in the vicinity of the site. Specific comments are noted as follows.

- * I would note that I do not approve of their trip generation adjustment, but the additional traffic would not change the conclusions.
- * The study indicates that there are no safety deficient locations in the area. During the site plan permitting process, I will be requesting supporting documentation.
- * In respect to the site plan, the applicant needs to provide justification for the reduced driveway width of 20 feet. The City standard is 24 feet.
- * It appears that 17 parking spaces will be provided for the 21-unit building. It is very likely that this supply will be insufficient to accommodate parking demand on site.
- * Sidewalks are not continuously provided on Sheridan Street between Cumberland Avenue and Walnut Street. There is a gap in sidewalk just north of the site. Eric Labelle should provide an opinion about the need to implement sidewalk in this area.
- * The City has an improvement project at the Washington Avenue/Walnut Street intersection and I would suggest that the applicant contribute \$5,000 to the implementation of that project.

Please contact me if you have any questions.

Best Regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer

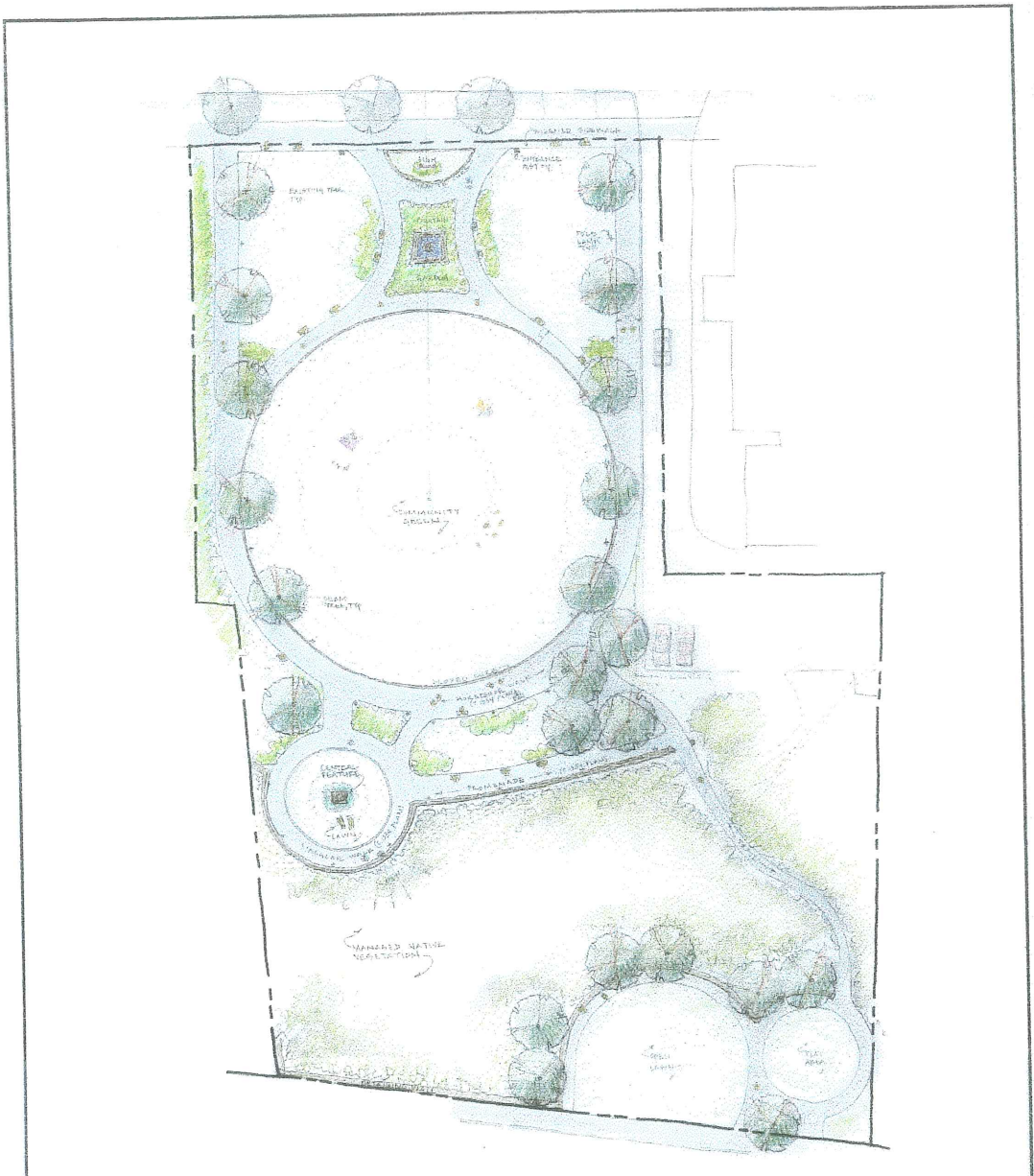
Wilbur Smith Associates

59 Middle Street

Portland, Maine 04101

(207) 871-1785 Phone

(207) 871-5825 Fax



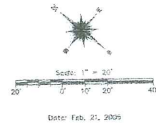
FORT SUMNER PARK

Rehabilitation Master Plan

PORTLAND PARKS & RECREATION DEPARTMENT
 17 Arbor Street - Portland, Maine

Prepared for the City of Portland
 Parks & Recreation Department by:

Kesina S. Leonard
 LANDSCAPE ARCHITECTURE & DESIGN
 234 State Street Portland, ME 04101
 Tel. 207.450.9700 rsl@ksl.com



**CITY OF PORTLAND, MAINE
CITY COUNCIL AGENDA REQUEST FORM**

TO: Sonia Bean, Senior Administrative Assistant
FROM: Alexander Jaegerman, Director of Planning Division
DATE: February 8, 2006
SUBJECT: Agenda Request Re: Zone Change Request From R-6 Residential to R-7 Compact
Urban Residential Overlay - 121 & 135 Sheridan Street
Sponsored by: Portland Planning Board

1) Council Meeting at which action is requested:

1st Reading: February 22, 2006
Final Action: March 6, 2006

Submission Deadlines:

- 1 electronic copy of packet due 2 weeks prior to Council meeting date for the agenda meeting
- 5 hard copies due the Thursday before the Council meeting

2) Can action be taken at a later date? YES NO

I. SUMMARY OF ISSUE

The developer, Sheridan Street, LLC, is proposing a rezoning of the property at 121 & 135 Sheridan Street from R-6 to R-7 to allow 24 units on the site and a total of 38 parking spaces. The site is approximately 28,627 sq. ft.

II. REASON FOR SUBMISSION (What issue/problem will this address?)

The R-6 Zoning would allow for twenty-four units on this site. However, the R-6 zoning would require 52 parking spaces, instead of the 38 parking spaces proposed (1.5 spaces per unit). The R-7 zoning requires one (1) parking space per unit. The R-6 zoning would also require greater setbacks than the R-7 zoning.

III. INTENDED RESULT (How does it resolve the issue/problem?)

To allow twenty-four (24) units to be developed on the property, with a parking allowance of 1.5 spaces per unit and to benefit from the reduced setbacks allowed in the R-7 zone.

IV. FINANCIAL IMPACT

The proposal does not have any known financial impact on the City.

V. ANALYSIS

The developer is proposing that the combined properties of 121 & 135 Sheridan Street will consist of twenty-four (24) units with 38 parking spaces.

Sheridan Street is located on the peninsula and is within walking distance of downtown or other work places and shopping. To the east of the property is Shailer School, which is located on North Street, within the same block as the proposed development. Shailer School consists of 17 units. A mixture of density characterizes this area of the peninsula.

The proposed zone change will provide increased density in an area near to services such as schools, businesses, institutions, employers and public transportation. It will also provide compact in-city living for owners that represent a variety of income levels and household types. It is located near the downtown district and close to the Cumberland Avenue METRO line that serves Munjoy Hill.

The Comprehensive Plan encourages development of infill projects on the peninsula, with less required parking spaces to promote walking to work and shopping or utilize public transportation. The Jack Elementary School is located within walking distance, and the Portland Trail Network is located adjacent to the site.

The R-7 Zone concept was developed to address the need for infill housing opportunities in Bayside and other areas of the peninsula. There is some question about whether or not this site is "characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 zone." Please refer to the Planning Board recommendation for further discussion.

The proposed rezoning from R-6 Residential to R-7 Compact Urban Residential Overlay Zone for the property located at 121 & 135 Sheridan Street must be evaluated for consistency with the City's Comprehensive Plan.

VI. RECOMMENDATION

On February 7, 2006 the Planning Board voted 3-3 (Vice Chair Patterson, Tevanian, and Silk in favor; Chair Beal, Lowry, Odokara opposed; Anton absent) on a motion to recommend the R-6 to R-7 for 121 & 135 Sheridan Street to the City Council.

Vice Chair Patterson, Ms. Tevanian and Mr. Silk, the three Planning Board members who voted to recommend the rezoning from R-6 to R-7, all felt that this type of development was exactly what the City was looking for when the Housing Element of the Comprehensive Plan was adopted. They also stated that the Housing Plan talks about increasing density in urban areas of the City, and the R-7 zone was created for this type of development and is appropriate for this site.

Chair Beal, Mr. Lowry and Ms. Odokara, the three Planning Board members who voted against the recommendation to rezone the property from R-6 to R-7, felt that Sheridan Street was not a high-density street and this type of development would have a negative impact on the neighborhood. It was also mentioned that the massing of this proposal dwarfs the adjacent properties. They felt that this particular location doesn't meet the R-7 zone purpose statement for R-6 locations that already exceed the R-6 density and therefore, is not appropriate.

VII. SPONSOR

Kevin Beal, Chair, Portland Planning Board

Attachments:

A. PBR #14-06

cc: Elizabeth Boynton, Associate Corporation Counsel

Att. A

PLANNING BOARD REPORT #14-06

**ZONE CHANGE REQUEST
FROM R-6 RESIDENTIAL TO R-7 COMPACT URBAN RESIDENTIAL OVERLAY ZONE
VICINITY OF 121 & 135 SHERIDAN STREET
SHERIDAN STREET, LLC, APPLICANT**

Submitted to:
Portland City Council
Portland, Maine

Submitted by:
Kandice Talbot, Planner

Prepared February 8, 2006

I. INTRODUCTION

Sheridan Street, LLC is requesting review of a proposed zone change for the properties of 121 & 135 Sheridan Street. The properties are currently zoned R-6 and the applicant is proposing an R-7 rezoning. The proposed zone change map is included as Attachment 10.

The developer is proposing the rezoning of the properties at 121 & 135 Sheridan Street to R-7 to allow 24 units on the site and a total of 38 parking spaces. The site is approximately 28,627 sq. ft. The zone change application is included as Attachment 2. The developer is requesting the R-7 zone change to allow for a reduced number of parking spaces and reduced setbacks.

347 notices were sent to area residents and a legal ad was placed in the Portland Press Herald. A neighborhood meeting was held on November 14, 2005 and the minutes are included as Attachment 4.

II. SURROUNDING USES

The uses in the area consist mostly of residential buildings. The buildings range from single-family to multi-family consisting of up to seventeen (17) units.

Also adjacent to the site is the Fort Sumner Park and vacant City property.

III. DEVELOPMENT PLAN

The properties are located at 121 & 135 Sheridan Street. The developer is proposing that the combined properties will include 24 units and 38 parking spaces; 23 covered parking spaces and 15 surface parking spaces.

The property located at 121 Sheridan Street presently has a single-family home with a detached single-story garage located on it. The house will be renovated and an additional 2,400 sq. ft. of space will be added to create a three-unit condominium development. The existing detached garage will be removed and eight parking spaces (including two covered parking spaces) will be added to the property.

Based on comments early on in the rezoning process by Planning Board members and from the neighborhood meeting, the applicant revised the development plans in response to the public's concerns. The applicant reduced the number of proposed units from 31 units to 24 units. The proposed building has also been revised so that it no longer crosses over a passageway, that runs through the site. The Planning Board had concerns with the garage entrance being the prominent feature on Sheridan Street, so the applicant has eliminated the garage entrance on Sheridan Street. The applicant is now proposing 37 parking spaces for the development. Although one (1) parking space is required per unit in the R-7 zone that the applicant is requesting, the proposal would allow for one and one-half (1-1/2) parking spaces per unit.

The applicant has been in discussions with Regina Leonard of the Fort Sumner Park Committee and Jaime Parker of Portland Trails. There have been discussions of trail work being done in collaboration with this proposed project. A memo from Regina Leonard is included. Because this is not proposed as a conditional rezoning, any requirements for trail work or easements would be required during the subdivision and site plan process.

The applicant has also submitted a traffic study because of concerns by the neighbors. The traffic study is included as Attachment 7. Tom Errico, the City’s Review Traffic Engineer, has reviewed the traffic study and the proposed plans and a memo is included as Attachment 9. Mr. Errico has minor concerns, however, as with the trail work discussed above, the traffic concerns would need to be addressed during the subdivision and site plan process.

Carrie Marsh, Urban Designer, has reviewed the proposed elevations and believes that, as proposed, the building would be architecturally appropriate and compatible with the surrounding neighborhood.

IV. POLICY CONSIDERATIONS

Below is a chart, which demonstrates what the applicant is proposing and what would be allowed/required in the R-6 and R-7 zones for the number of units, parking, etc. This chart is to give the Council an idea of the differences between the two zones. Also included, as Attachment 11 is a comparison chart of the R-6 and R-7 zones.

	<u>Proposed</u>	<u>R-6 Zone</u>	<u>R-7 Zone</u>
Number of Units	24 units	24 units	65 units possible (adjacent to municipal park)
Number of Parking Spaces	38 Spaces Provided (24 Spaces Required)	52 Spaces Spaces	65 Spaces for 65 Units
Height	46.25 ft.	45 ft.	50 ft.

R-7 Compact Urban Residential Overlay Zone

The purpose of the R-7 Compact Urban Residential Overlay Zone is:

“To encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.

Locations for siting the R-7 zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent zones.

The R-7 Zone concept was developed to address the need for infill housing opportunities in Bayside and other areas of the peninsula. There is some question about whether or not this site is “characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 zone.” Please refer to the Planning Board recommendation for further discussion.

The proposed rezoning from R-6 Residential to R-7 Compact Urban Residential Overlay Zone for the property located at 121 & 135 Sheridan Street must be evaluated for consistency with the City’s Comprehensive Plan. Some relevant excerpts from the Comprehensive Plan are as follows:

Housing: Sustaining Portland’s Future – Adopted November 18, 2002

“Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as school, businesses, institutions, employers, and public transportation.”

“Evaluate and update current zoning, as needed, to encourage higher density multi-family developments and mixed use projects that incorporate housing, particularly along major public transportation routes, near services areas, and in redevelopment or infill areas, where appropriate.”

“Encourage housing within and adjacent to the downtown. Evaluate and update current zoning and building codes, as needed, to facilitate new housing and redevelopment opportunities, including:

- * Condominiums;*
- * Townhouses;*
- * 2 to 4 unit buildings;*
- * Live/work options; and*
- * High-density multi-family housing.”*

“Portland seeks to encourage construction of new housing units through land use regulations and financial incentives. Increasing Portland’s housing stock in developed urban areas of the city is challenging, but necessary for the long-term health of the city.”

“Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.”

“Adopt neighborhood design guidelines as part of Portland’s land use code for new housing and substantial rehabilitation that are compatible with the character and patterns of development found within each neighborhood.”

“Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.”

A Time of Change: Portland Transportation Plan – Adopted July 1993

“Provide maximum mobility in a balanced transportation system, which encompasses all modes, to support the economic vitality and quality of life of the Portland community.”

“Ensure future growth does not foster auto dependency.”

“Allow development along transit corridors and near community commercial centers to evolve at a density sufficient to make public transit, walking, and biking viable options.”

V. ZONING ANALYSIS

As stated previously, the applicant is proposing that the combined properties of 121 & 135 Sheridan Street will consist of twenty-four (24) units. The sites combined total approximately 28,627 sq. ft.

Sheridan Street is located on the peninsula and is within walking distance of downtown or other work places and shopping. To the east of the property is Shailer School, which is located on North Street, within the same block as the proposed development. Shailer School consists of 17 units. A mixture of density characterizes this area of the peninsula.

The proposed zone change will provide increased density in an area near to services such as schools, businesses, institutions, employers and public transportation. It will also provide compact in-city living for owners that represent a variety of income levels and household types. It is located near the downtown district and close to the Cumberland Avenue METRO line that serves Munjoy Hill.

The Comprehensive Plan encourages development of infill projects on the peninsula, with less required parking spaces to promote walking to work and shopping or utilize public transportation. The Jack Elementary School is located within walking distance, and the Portland Trail network is located adjacent to the site.

The City Council should be aware that if the zoning for this property were changed to R-7 for this site, there is a potential that based on zoning, the site could allow for approximately 65 units. The site is located next to City property, which is considered parkland. Typically, the maximum residential density for the R-7 zone is seven hundred twenty five (725) sq. ft. of land area per dwelling unit. However, if the property is located within 500 feet of municipal park or playground the density may be increased to four hundred thirty five (435) sq. ft. of land area per dwelling unit, which this property would qualify for. The applicant would also have to provide 61 parking spaces on-site, which could be difficult to accomplish.

VI. PLANNING BOARD RECOMMENDATION

On February 7, 2006 the Planning Board voted 3-3 (Vice Chair Patterson, Tevanian, Silk in favor; Chair Beal, Lowry, Odokara opposed; Anton absent) on a motion to recommend the R-6 to R-7 for 121 & 135 Sheridan Street to the City Council.

Vice Chair Patterson, Ms. Tevanian and Mr. Silk, the three Planning Board members who voted to recommend the rezoning from R-6 to R-7, all felt that this type of development was exactly what the City was looking for when the Housing Element of the Comprehensive Plan was adopted. The Housing Plan talks about increasing density in urban areas of the City, and the R-7 zone was created for this type of development and is appropriate for this site.

Chair Beal, Mr. Lowry and Ms. Odokara, the three Planning Board members who voted against the recommendation to rezone the property from R-6 to R-7, felt that Sheridan Street was not a high-density street and this type of development would have a negative impact on the neighborhood. It was also mentioned that the massing of this proposal dwarfs the adjacent properties. They felt that this particular location doesn't meet the R-7 zone purpose statement for R-6 locations that already exceed the R-6 density, and is therefore, not appropriate.

Attachments:

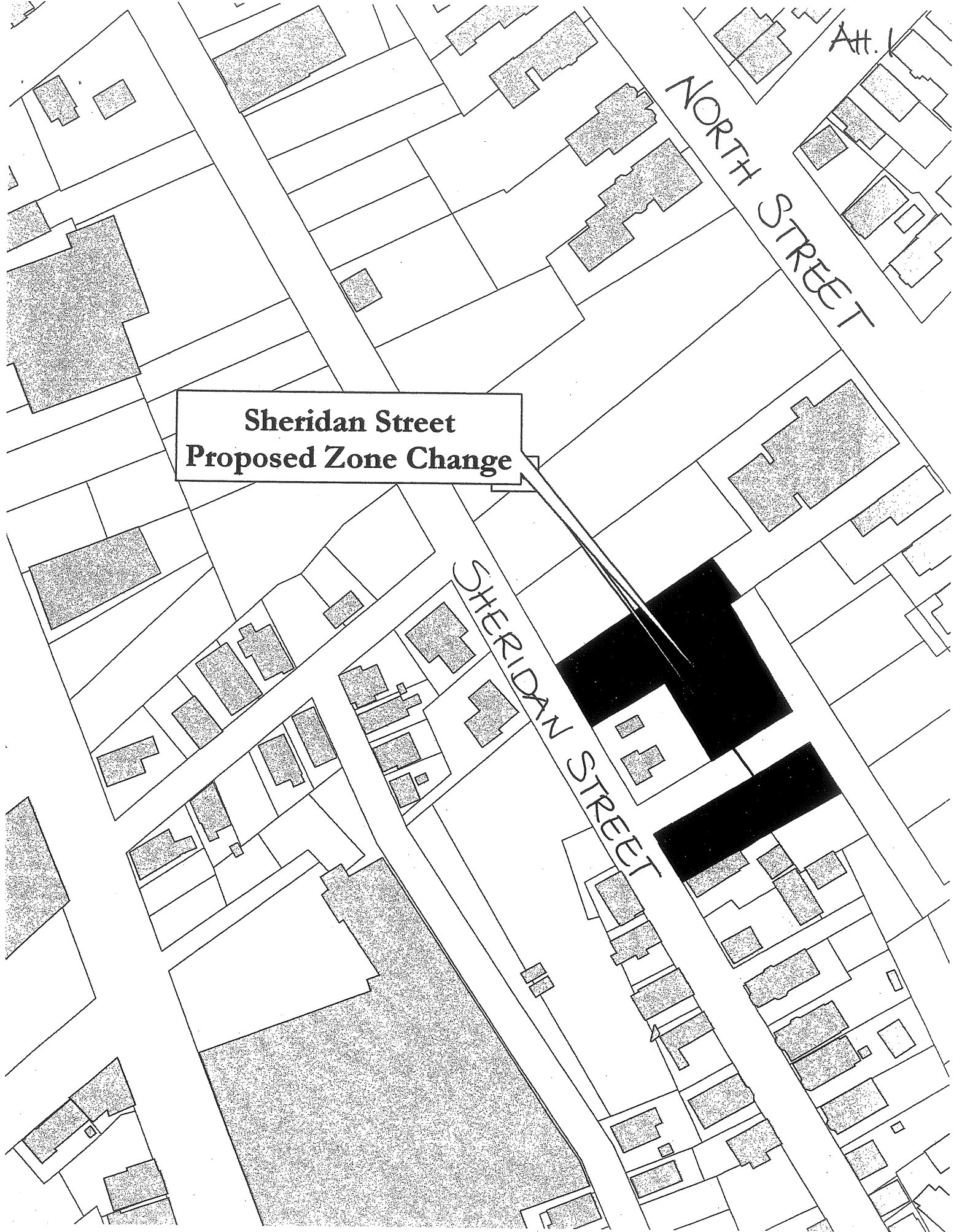
1. Maps of Proposed Site
2. Applicant's Submittal
3. Applicant's Submittal dated November 29, 2005
4. Minutes from Neighborhood Meeting
5. Memo from Regina Leonard, Fort Sumner Park Committee, dated December 29, 2005
6. Neighborhood Letters
7. Traffic Study
8. Corporation Counsel's Memo regarding Passageways
9. Traffic Engineer's Memo
10. Proposed Zone Change Map
11. Comparison Chart of R-6 and R-7 Zones
12. Shadow Study
13. Plans
14. Fort Sumner Park Views

Att. 1

NORTH STREET

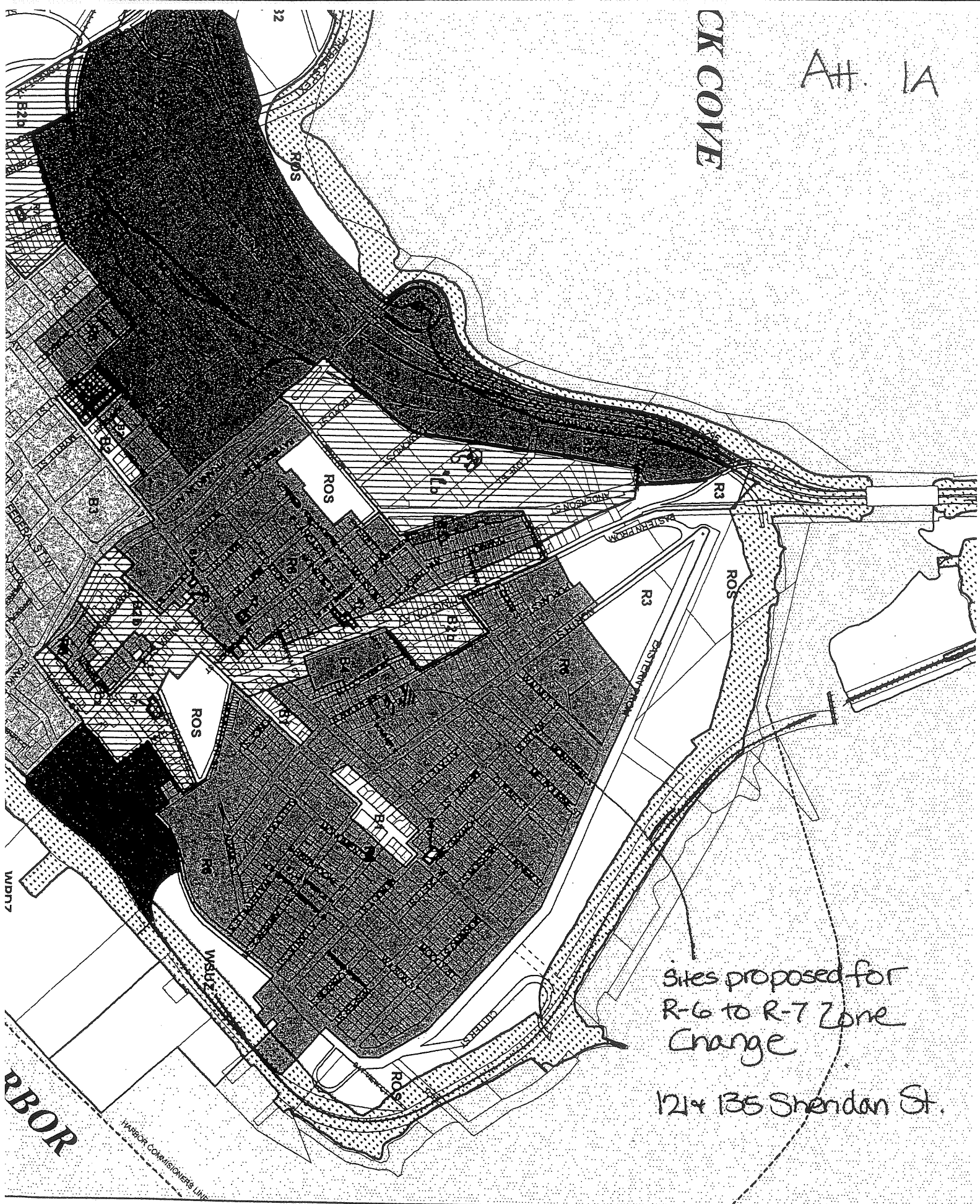
**Sheridan Street
Proposed Zone Change**

SHERIDAN STREET



Att. 1A

CK COVE



Sites proposed for
R-6 to R-7 Zone
Change

121 + 135 Sheridan St.

HARBOR

Harbor Commissioners Line

SHERIDAN STREET, LLC
477 Congress Street, 5th Floor
Portland, Maine 04101-3427
207 523 3410 Office
207 773 8597 Fax
207 653 7510 Cell
glg@gwi.net

October 6, 2005

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

RE: Sheridan Heights Condominiums
121 & 135 Sheridan Street, Portland, Maine

Dear Mr. Jaegerman and Board Members:

Enclosed is an Application for a Zoning Amendment from the R-6 Residential to the R-7 Compact Urban Residential Zone. This application is being submitted by Sheridan Street, LLC to permit construction of a 30 unit condominium project on Sheridan Street in Portland, Maine.

Site Description

The site is comprised of two adjacent properties located on the east side of Sheridan Street between Cumberland Avenue and Walnut Street. The combined properties will have 28,627 square feet of land. The parcel at 121 Sheridan Street is bounded by Sheridan Street to the west, a single-family residence to the north, a vacant City owned lot to the east and a vacant City owned lot plus an eight unit condominium currently under construction to the south. The parcel at 135 Sheridan Street is bounded by Sheridan Street to the west, a vacant City owned lot to the north, a vacant City owned lot to the east and a single-family residence to the south. A 30-foot easement connects Sheridan Street to the parcels owned by the City on the east side of the property.

Project Description

The parcel located at 121 Sheridan Street presently has a three story single-family house with a detached single-story garage. The house will be renovated and an additional 2,400 square feet of space will be added to create a three-unit condominium. The existing detached garage will be removed and eight parking spaces (including two covered parking spaces) will be added to the property.

The parcel located at 135 Sheridan Street currently has no structures built on the premises. The proposed structure to be built on this property will have 27 units constructed over one underground level of parking with 38 spaces. The units will be an average size of 1,300 square feet in floor area. A centrally located elevator and three stairwells will provide access and egress for the upper floors. Seven units will be constructed on the first level and have two bedrooms. Nine units will be constructed on the second level and have two bedrooms. The remaining 11 units will have two bedrooms plus a den / family room located on the third and fourth floors and will each have an interior staircase. Storage will be provided at each level in addition to storage rooms within each unit. All of the units will have an attached porch, deck or patio.

The Permitted Uses listed in the R-7 Zone would permit 65 units to be constructed and requires only one parking space per unit. However, the current design proposes a total of 30 units and 1.5 parking spaces per unit.

In addition, we do not propose to build to the Maximum Building Height of 50 feet, but rather stay under the 45 foot limit allowed in the R-6 Zone. In many ways the project is more similar to the R-6 than the R-7 Zone.

Uniquely surrounded on three sides by City owned property, the new structures will have little impact on the surrounding neighbors and should be a welcome addition to a growing and vibrant part of the City.

R-7 Compact Urban Residential Zone and City Housing Plan

As stated in the City of Portland Code of Ordinances in Division 7.01, Section 14-141 Purpose:

“The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.”

Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas of the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood."

In addition, the Housing Plan, a part of the City of Portland's Comprehensive Plan states in part that the City should:

"Encourage higher density for housing for both rental and home ownership opportunities, particularly near services near schools, businesses, institutions, employers, and public transportation."

"Portland seeks to encourage construction of new housing units through land use regulations and financial incentives. Increasing Portland's housing stock in developed urban areas of the city is challenging, but necessary for the long-term health of the city."

The proposed new R-7 zone will meet many of the goals and policies as stated in the City Ordinances and Comprehensive Plan. The proposed zone change will provide increased density in an area near to services such as schools, businesses, institutions, employers and public transportation. Sheridan Heights will provide compact in-city living for owners that represent a variety of income levels and household types with some units starting at under \$250,000. Sheridan Heights is located near to the downtown district and close to the Cumberland Avenue METRO line that serves Munjoy Hill. It is rare to find a parcel that has not been developed on the peninsula. 135 Sheridan Street has no structures located on the property – according to the local City records and Deed, it has never had any residences located at the property. This is an excellent "infill development opportunity" and a location that is within walking distance to many of the services located in the City. The new Jack Elementary School is a five-minute walk away. The Portland Trail network is less than 1/3 mile from the site.

Design Standards

The Design Standards as stated in Section 14-143 of the City Code of Ordinances states in part:

"... The general intent of these development standards is to achieve an attractive and comfortable city neighborhood environment. Varied and human-scaled building facades are key to making a place "pedestrian-oriented." Building designs should

provide a high level of visual interest, without creating a chaotic image. Residences should include design elements that enhance the streetscape and address the street."

Our Architects, a team comprised of TFH Architects (Architect of Record) and James Sterling Architects (Associate Architect), have designed dozens of exceptional projects in the Portland area. Both firms have been an essential part of the fabric of the design community for over 30 years and have worked together to assure that Sheridan Heights is "architecturally appropriate and compatible with the surrounding neighborhood."

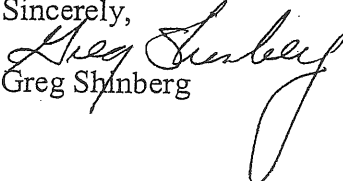
The design includes the following components:

- Many of the porches and bays face the street;
- The primary ground floor entries orient towards Sheridan Street;
- The design is a visible and permanent expression of the character of the neighborhood with elements that include bays, a mixture of siding components present on nearby structures, a flat roof with cornice, colors and textures that will complement the neighborhood;
- The façade is unique and articulated to provide an exciting visual interest to the pedestrians;
- The passageway will reinforce public realm of the public open space and encourage a welcome entry to the rear of the property;
- Carefully chosen landscape elements that will enhance the building and property utilizing materials that are natural to this location;
- The units will be constructed to assure visual privacy with high quality materials that will provide acoustic privacy between the units;
- The large number and size of windows and doors will maximize natural light and ventilation within the units.

In addition, TFH Architects recently designed the new eight-unit condominium project, Sumner Place located next door. We have engaged professionals such as Mitchell Rasor and Stu Dawson for the Landscape Architecture. Mr. Rasor was recently hired by the City to craft and implement the new Building Height Guidelines for the Eastern Waterfront Master Plan and the Master Plan for the redevelopment of the Portland Department of Public Works facilities in Bayside. Mr. Dawson of Sasaki Associates of Watertown Massachusetts was hired to direct the design of the Monument Square revitalization project known as Resurgum in 1975.

Attached is the Major Site Plan Application that includes a Survey, Site Plan, Elevations and Floor Plans for the project.

Thank you for your consideration of this project. We believe that this is an exciting project that will be a great addition to the neighborhood.

Sincerely,

Greg Shinberg

2D

SHERIDAN HEIGHTS

**121&135 SHERIDAN STREET
PORTLAND, MAINE**

**MAJOR SITE PLAN
REVIEW APPLICATION**

SEPTEMBER 19, 2005

APPLICANT

**Sheridan Street, LLC
477 Congress Street, 5th Floor
Portland, Maine 04101**

SHERIDAN STREET, LLC
477 Congress Street, 5th Floor
Portland, Maine 04101-3427
207 523 3410 Office
207 773 8597 Fax
207 653 7510 Cell
glg@gwi.net

September 19, 2005

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

RE: Sheridan Heights Condominiums
121 & 135 Sheridan Street, Portland, Maine

Dear Mr. Jaegerman and Board Members:

On behalf of Sheridan Street, LLC we are pleased to submit this Site Plan Application for a residential condominium development located at 121 and 135 Sheridan Street in Portland. This submission has been prepared in compliance with the R-7 Compact Urban Residential Overlay Zone required by the City of Portland Zoning and Site Plan Ordinances.

Although this Site Plan Application falls under the established guidelines of the R-7 Zone, it is important to emphasize that the proposed design does not require or utilize the maximum number of units, 50 foot building height, or minimum yard dimensions allowed under the R-7 Permitted Uses. In addition, we have created 46 on site parking spaces, 15 more than is required. We have worked closely with our design professionals to assure that the building is consistent with the character and integrity of the neighborhood and includes the design elements that enhance the streetscape. In addition, the top floor of the building has been designed to respect the views of the neighbors nearby.

The Site

The site is comprised of two adjacent properties located on the east side of Sheridan Street between Cumberland Avenue and Walnut Street. The combined properties will have 28,627 square feet of land. The parcel at 121 Sheridan is bounded by Sheridan Street to the west, a single-family residence to the north, a vacant City owned lot to the east and a vacant City owned lot plus an eight unit condominium currently under construction to the south. The parcel at 135 Sheridan Street is bounded by Sheridan Street to the west, a vacant City owned lot to the north, a vacant City owned lot to the east and a single-family residence to the south. A 30-foot easement connects Sheridan Street to the parcels owned by the City on the east side of the property. The property is located in the R-6 Residential Zone.

Project Description

In total, the combined properties will have 31 units and 46 parking spaces.

The parcel located at 121 Sheridan Street presently has a three story single-family house with a detached single-story garage. The house will be renovated and an additional 2,400 square feet of space will be added to create a three-unit condominium. The existing detached garage will be removed and eight parking spaces (including two covered parking spaces) will be added to the property.

The parcel located at 135 Sheridan Street currently has no structures built on the premises. The proposed structure to be built on this property will have 28 units constructed over one underground level of parking with 38 spaces. The units will be an average size of 1,300 square feet in floor area. A centrally located elevator and three stairwells will provide access to the upper floors. Eight units will be constructed on the first level and have two bedrooms. Nine units will be constructed on the second level and have two bedrooms. The remaining 11 units will have two bedrooms plus a den / family room located on the third and fourth floors and will each have an interior staircase. Storage will be provided at each level in addition to storage rooms within each unit. All of the units will have an attached porch or deck.

Utilities

Water service to the site is currently provided by a 4-inch water main located in Sheridan Street. A new 8-inch water main will be extended down Sheridan Street to the site. Sanitary sewer will be connected into the existing 8-inch sewer main located in Sheridan Street. Underground electric, telephone and cable television will be provided from existing above ground services located along the east side of Sheridan Street. Natural gas will be provided from an existing 4-inch natural gas line located in Sheridan Street.

Submission

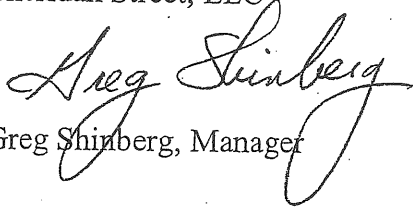
This submission includes the following information:

1. Cover letter, dated September 19, 2005
2. Site Plan Application and Checklist
3. Application Fee of \$500.00
4. Booklet of required exhibits
5. Nine sets of plans (24" x 36")

We have worked diligently with our talented design professionals to create an exciting project that will be a wonderful addition to the community and trust that the Planning Board will consider this application for a workshop meeting. Please do not hesitate to contact me if you desire any additional information or have any questions. We look forward to meeting with the Planning Board at its earliest convenience.

Sincerely,

Sheridan Street, LLC



Greg Shinberg, Manager

Enclosures

TABLE OF CONTENTS

EXHIBIT 1	Site Plan Application and Checklist
EXHIBIT 2	USGS Map and Local Map
EXHIBIT 3	Deed for 121 Sheridan St & Purchase & Sale Agreement for 135 Sheridan Street
EXHIBIT 4	Project Data
EXHIBIT 5	Abutting Property Owners
EXHIBIT 6	Public Utilities
EXHIBIT 7	Solid Waste
EXHIBIT 8	Technical Capacity
EXHIBIT 9	Financial Capacity
EXHIBIT 10	Project Schedule

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: 121 & 135 Sheridan Street, Portland		Zone: R-6
Total Square Footage of Proposed Structure: 45,526		Square Footage of Lot: 28,627
Tax Assessor's Chart, Block & Lot: Chart# 13 Block# K Lot# 17 13 K 2		Property owner's mailing address: Sheridan Street, LLC 477 Congress Street, 5th Fl Portland, Maine 04101
Consultant/Agent, mailing address, phone # & contact person: Shinberg Consulting 477 Congress Street 5th Floor Portland, Maine 04101 Phone: 207 523 3410 Contact: Greg Shinberg		Telephone #: 207 523 3410
Applicant's name, mailing address, telephone #/Fax#/Pager#: Sheridan Street, LLC 477 Congress Street, 5th Fl Portland, Maine 04101 Phone: 207 523 3410 Fax: 207 773.8597		Project name: Sheridan Heights
Proposed Development (check all that apply) <input checked="" type="checkbox"/> New Building <input checked="" type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Stormwater Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other _____		
Major Development (more than 10,000 sq. ft.) <input checked="" type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		
Minor Site Plan Review <input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		
Plan Amendments <input type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00)		

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

Sheridan Street, LLC
477 Congress Street, 5th Floor
Portland Maine 04101

Contact: Greg Shinberg
Phone: 207 523 3410

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: <i>Greg Shinberg</i>	Date: <i>9/19/05</i>
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This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

**CITY OF PORTLAND, MAINE
SITE PLAN CHECKLIST**

2K

Sheridan Heights 121 & 135 Sheridan Street, Portland
Project Name, Address of Project

Application Number

Submitted () & Date	Item	Required Information	Section 14-525 (b,c)
X	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
X	(2)	Name and address of applicant and name of proposed development	a
X	(3)	Scale and north points	b
X	(4)	Boundaries of the site	c
X	(5)	Total land area of site	d
X	(6)	Topography - existing and proposed (2 feet intervals or less)	e
X	(7)	Plans based on the boundary survey including:	2
X	(8)	Existing soil conditions	a
X	(9)	Location of water courses, marshes, rock outcroppings and wooded areas	b
X	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
X	(11)	Approx location of buildings or other structures on parcels abutting the site	d
X	(12)	Location of on-site waste receptacles	e
X	(13)	Public utilities	e
X	(14)	Water and sewer mains	e
X	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
X	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
X	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
X	(18)	Parking areas	g
N/A	(19)	Loading facilities	g
X	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
X	(21)	Curb and sidewalks	g
X	(22)	Landscape plan showing:	h
	(23)	Location of existing proposed vegetation	h
	(24)	Type of vegetation	h
	(25)	Quantity of plantings	h
	(26)	Size of proposed landscaping	h
X	(27)	Existing areas to be preserved	h
X	(28)	Preservation measures to be employed	h
	(29)	Details of planting and preservation specifications	h
	(30)	Location and dimensions of all fencing and screening	i
	(31)	Location and intensity of outdoor lighting system	j
X	(32)	Location of fire hydrants, existing and proposed	k
X	(33)	Written statement	c
X	(34)	Description of proposed uses to be located on site	1
X	(35)	Quantity and type of residential, if any	1
X	(36)	Total land area of the site	b2
X	(37)	Total floor area and ground coverage of each proposed building and structure	b2
X	(38)	General summary of existing and proposed easements or other burdens	c3
X	(39)	Method of handling solid waste disposal	4
X	(40)	Applicant's evaluation of availability of off-site public facilities, including sewer, water and streets	5
X	(41)	Description of any problems of drainage or topography, or a representation that there are none	6
X	(42)	An estimate of the time period required for completion of the development	7
N/A	(43)	A list of all state and federal regulatory approvals to which the development may be subject to	8
N/A	(44)	The status of any pending applications	8
N/A	(45)	Anticipated timeframe for obtaining such permits	h8

N/A
x

(46) A letter of non jurisdiction

h8

(47) Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities;
- erosion and sedimentation controls to be used during construction;
- a parking and/or traffic study;
- and
- a noise study;
- an environmental impact study;
- a sun shadow study;
- a study of particulates and any other noxious emissions;
- a wind impact analysis.

Other comments:

2M

Send To Printer

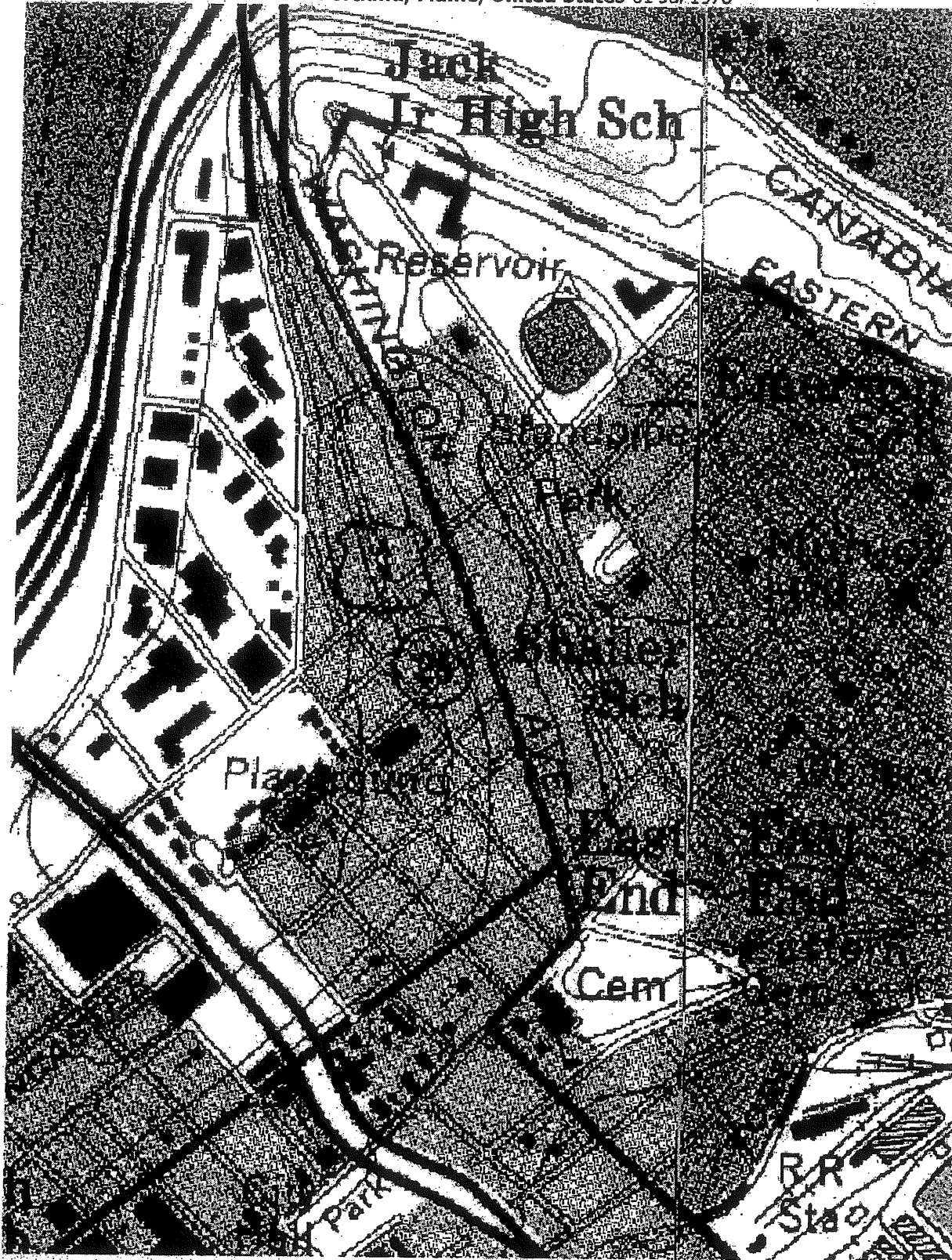
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Change to 11x17 Print Size

Show Grid Lines

Change to Landscape

USGS Portland, Maine, United States 01 Jul 1978



0 200M

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Image courtesy of the U.S. Geological Survey

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SHERIDAN STREET PARCELS

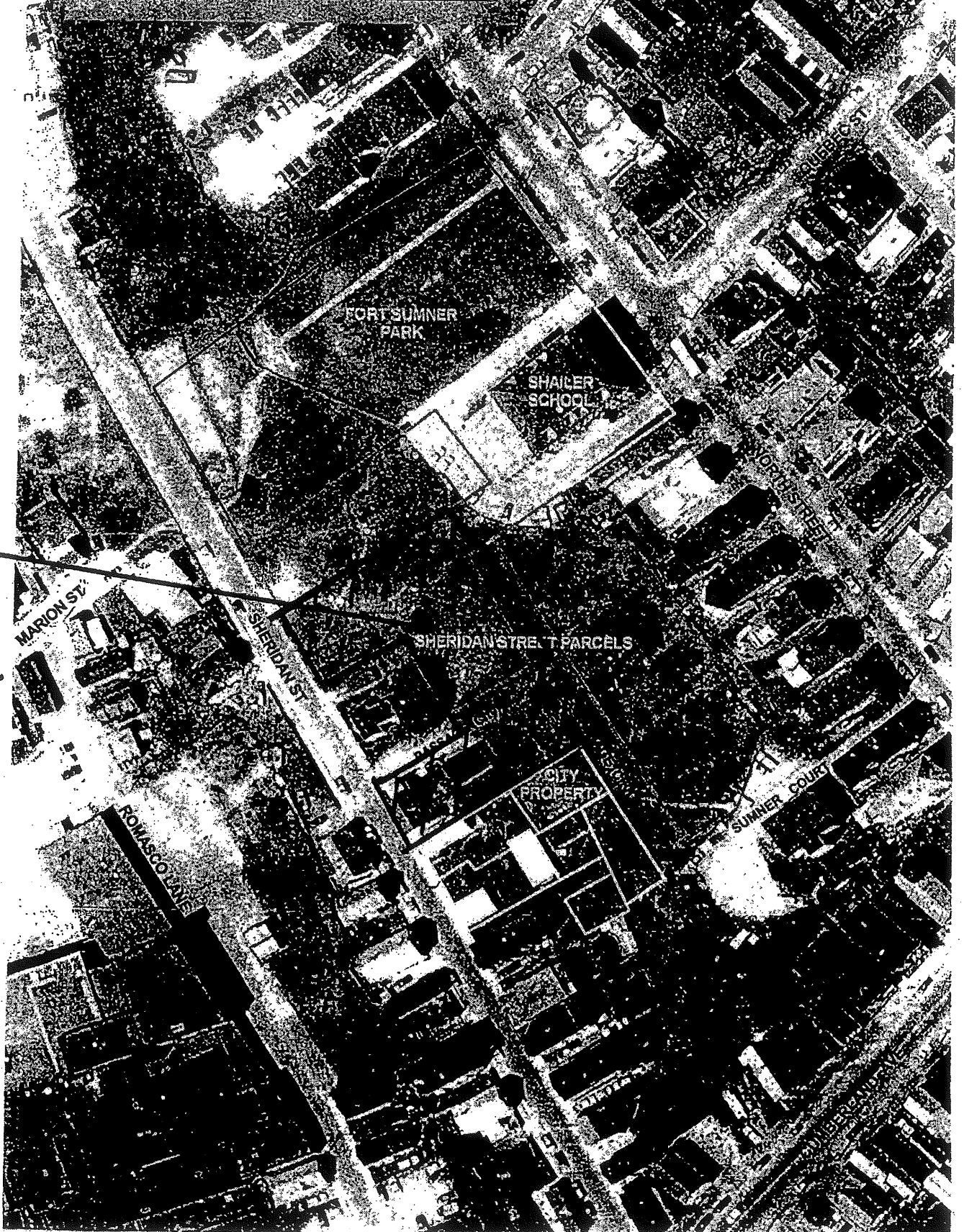
Aerial Photographs
Taken Spring 2001
Parcel Data Created
April 2004

- ☐ Sheridan Street Parcels
- ☐ City Property
- ☐ City Parks & Open Space
- ☐ Land Under Contract



100 0 100 Feet

City of Portland Land Bank Commission Doug Roncarati 10/1/2004



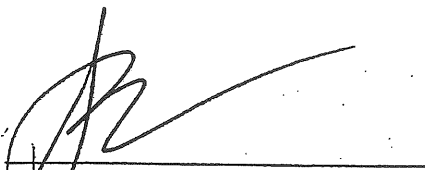
SITE
21 #
135
SHERIDAN
STREET

WARRANTY DEED - SHORT FORM DEEDS ACT
33 M.R.S.A. Section 761 et seq.

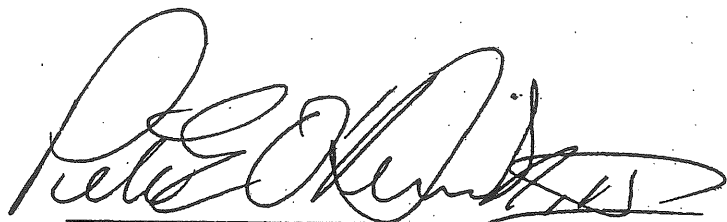
KNOW ALL BY THESE PRESENTS, that I, Peter E. O'Donnell, III, of the County of Cumberland and State of Maine, for valuable consideration received, hereby grant to Sheridan Street, LLC of the County of Cumberland and State of Maine, with WARRANTY COVENANTS, that certain lot or parcel of land, with any improvements thereon, located at 119-121 Sheridan Street, Portland, in the County of Cumberland and State of Maine, as more fully described as parcels A, B & C in Exhibit A attached hereto and fully incorporated herein by reference, and does further grant to Sheridan Street, LLC of the County of Cumberland and State of Maine, with QUITCLAIM COVENANTS, that certain lot or parcel of land, with any improvements thereon, located at 119-121 Sheridan Street, Portland, in the County of Cumberland and State of Maine, as more fully described as parcels D & E in Exhibit A attached hereto and fully incorporated herein by reference.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on June 15, 2005.

MAINE REAL ESTATE TAX PAID



Witness

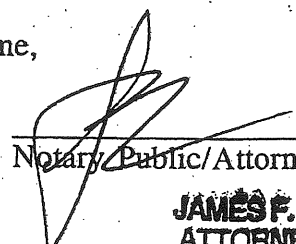


Peter E. O'Donnell, III

STATE OF MAINE
Cumberland, ss:

On June 15, 2005, personally appeared the above-named Peter E. O'Donnell, III and acknowledged the foregoing deed to be his/her free act and deed.

Before me,



Notary Public/Attorney At Law
JAMES F. CLOUTIER
ATTORNEY AT LAW

Type or Print Name

2P

EXHIBIT A

**LEGAL DESCRIPTION OF PROPERTY LOCATED
in Cumberland County at 119-121 Sheridan Street, Portland, Maine**

Parcel A:

All that certain lot, piece or parcel of land, with the buildings thereon, situated in Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at the northeasterly corner of land conveyed the first day of June, A.D. 1917, by Edward S. Everett to Rosa B. Reidy;

thence northerly and on a straight line with the rear line of said Reidy land forty-six (46) feet, more or less, to the southerly sideline of a contemplated Street;

thence westerly by said contemplated Street to the northeasterly corner of land now or formerly of Lewis Realty Company;

thence southerly along the easterly line of said Lewis Realty Company land forty-six (46) feet, more or less, to said Reidy land;

thence easterly along the northerly side of said Reidy land to the point of beginning;

also the right in common with others to use said contemplated Street extending from Sheridan Street, so-called, towards North Street.

Parcel B:

Also another certain lot of land with the buildings thereon, situated on the northeasterly side of Sheridan Street, in said Portland, bounded and described as follows:

Beginning at the most westerly corner of land of one Reidy, formerly of J.F. Whelan;

thence running northwesterly by Sheridan Street forty-six (46) feet, more or less, to land formerly owned by J.P. Boyd;

thence northeasterly by said Boyd land;

thence southeasterly by said Everett land about forty-six (46) feet to said Reidy land;

thence southwestly by said Reidy land to the point of beginning.

Parcel C:

Also another certain lot of land with any buildings thereon, situated in said Portland,

bounded and described as follows:

Beginning at a point in the southeasterly sideline of a passageway running between Sheridan Street and Sumner Court, said point being the most westerly corner of Lot "G" as shown on "Revised Plan of Fort Sumner Terrace" recorded in the Cumberland County Registry of Deeds in Plan Book 16, Page 49;

thence northeasterly from said point of beginning along the said southeasterly sideline of said passageway, a distance of sixty-eight and eight one-hundredths (68.08) feet to a point and an angle in said passageway;

thence southeasterly along the southwesterly sideline of the aforementioned passageway, a distance of forty-six (46) feet to a point;

thence southwesterly, on a line which is parallel to and forty-six (46) feet southeasterly from the first course herein described, a distance of sixty-eight and eight one-hundredths (68.08) feet to a point marking the northeasterly terminus of the division line between land now or formerly of Francis E. and Rita Caterina and land now or formerly of Howard S., Jr. and Bonnie G. Flash;

thence northwesterly along the northeasterly sideline of Caterina land a distance of forty-six (46) feet to the southeasterly sideline of the aforementioned passageway and the point of beginning.

The above-described parcel being the northerly portion of Lot "G" as shown on "Revised Plan of Fort Sumner Terrace" recorded in Cumberland County Registry of Deeds in Plan Book 16, Page 49 and contains 3,132 square feet of area.

This parcel C being the same parcel conveyed to the Grantor by confirmatory deed of the City of Portland of recent date herewith, to be recorded herewith.

Meaning and intending to convey and hereby conveying the same premises conveyed to Frank C. Witham, Jr. and Mary Witham by Warranty Deed of Antoinette Caterina and Anthony E. Caterina dated June 26, 1992 and recorded in Cumberland County Registry of Deeds in Book 10147, Page 1.

Parcel D:

Also conveying that parcel of land situated on the northeasterly side of Sheridan Street abutting the premises above, known as a passageway to Sumner Court, and formerly described as a proposed street, as conveyed to the Grantor herein by deed of Witham dated June 29, 1999 and recorded in the Cumberland County Registry of Deeds in Book 14888, Page 55, as further described as follows:

Beginning at the northwesterly corner of the Witham lot,

thence, a distance of one hundred fifty (150) feet, more or less, easterly along the northerly sideline of the Witham lot, to a point;

thence northwesterly a distance of thirty (30) feet, more or less, along the southwesterly sideline of a passageway running between Sheridan Street and Sumner Court, to the southeasterly corner of a lot identified on the City of Portland tax map as Map 13, Block K, Lot 6, to a point;

thence westerly along the southern sideline of Lot 6, a distance of fifty (50) feet, more or less, and continuing in a straight line across the southerly sideline of a lot identified on the City of Portland tax map as Map 13, Block K, Lot 4, a distance of one hundred (100) feet, more or less, to the southwesterly corner of Lot 4 to a point;

thence southwesterly along the northeasterly sideline of Sheridan Street, a distance of thirty (30) feet, more or less; to the point of beginning.

The premises are conveyed together with and subject to any and all easements or appurtenances of record, insofar as the same are in force and applicable.

Parcel E:

All that property located within the right of way of those proposed roads and passageways up to the centerline thereof shown on the plan "Revised Plan of Fort Sumner Terrace" recorded in Cumberland County Registry of Deeds in Plan Book 16, Page 49 which have passed to the Grantor or his predecessors by operation of law, (and which are not otherwise conveyed by the aforesaid parcel descriptions,) the City of Portland having not accepted or reserved any right or interest in or to the aforesaid streets, where such roadways and passageways abut other premises hereby conveyed.

The aforesaid roadways and passageways being variously referred to as "Sumner Court" and "contemplated street" or contemplated Street extending from Sheridan Street, so-called, towards North Street in previous conveyances and other instruments of record.

SURVEY DESCRIPTION

The aforesaid premises are also described as follows:

A certain lot or parcel of land with any buildings thereon, situated on the easterly side of Sheridan Street, in the City of Portland, County of Cumberland and State of Maine being more particularly described as follows:

Beginning at a 5/8 inch diameter drill hole found in the concrete walk at the front southwesterly lot corner of the herein described residence now known as #121 Sheridan Street, said drill hole being found at a distance of 386.67 feet from the street corner formed by the intersection of the aforementioned easterly sideline of Sheridan Street with the westerly sideline of Cumberland Avenue. Said drill hole also marking

the common property corner of the herein described lot and the land now or formerly of Fort Sumner LLC, as described in deed recorded in the Cumberland County Registry of Deeds in Book 21832, Page 163;

Thence, by and along the easterly sideline of Sheridan Street, North 11°-56'-29" West, a distance of 44.86 feet to the sideline of a 30 foot wide passage way as shown on a plan entitled "Revised Plan of Fort Sumner Terrace, Portland, Maine" recorded in the aforementioned Registry of Deeds in Plan Book 16, Page 49;

Thence, by and along the aforementioned passage way, North 75°-16'-37" East, a distance of 150.38 feet to the westerly sideline of another passage way now or formerly owned by the City of Portland;

Thence, by and along the westerly sideline of said passage way, South 13°-45'-29" East, a distance of 46.00 feet to 1- 1/2 inch diameter iron pipe found flush with the ground at the land now or formerly of the City of Portland;

Thence, by and along the land of the City of Portland, South 76°-16'-34" West, a distance of 67.28 feet to a capped 5/8 inch rebar inscribed with "SGC Inc. PLS 2294" found flush with the ground at or near the land now or formerly of the aforementioned Fort Sumner LLC;

Thence, by and along the land of the aforementioned Fort Sumner LLC, South 75°-35'-53" West a distance of 32.58 feet;

Thence, continuing by and along the land of Fort Sumner LLC, South 12°-30'-26" East, a distance of 2.43 feet;

Thence, continuing by and along the land of the aforementioned Fort Sumner LLC, South 77°-46'-33" West, a distance of 51.89 feet to the Point of Beginning.

Containing 6866.4 square feet or 0.16 acres.

Said parcel subject to a maintenance easement as described in a Quit claim deed from Fort Sumner LLC to Peter E. O'Donnell, III dated November 22, 2004 and recorded in the Cumberland County Registry of Deeds in Book 22123, Page 60 on December 14, 2004.

All bearings based upon a magnetic North bearing observed on the herein described lot during 2005.

This description is based upon a Standard Boundary Survey for Sheridan Street Holdings LLC performed by Back Bay Boundary, Inc. 643 Forest Avenue Portland, Maine during the month of June 2005 and an as yet unrecorded plan entitled "Standard Boundary Survey of 121 Sheridan Street Portland, Maine for Sheridan

Street LLC dated June 10, 2005.

Meaning to convey and hereby conveying the parcels or lots of land described in a deed from Frank C. Witham, Jr. and Mary Witham to Peter E. O'Donnell, III recorded in the Cumberland County Registry of Deeds in Book 14888, Page 054.

Passage Way:

Also conveying any right, title and interest to a certain lot or parcel of land, with any improvements thereon, situated on the easterly side of Sheridan Street, previously described as the "passage way" as shown on a plan entitled "Revised Plan of Fort Sumner Terrace, Portland, Maine" recorded in the aforementioned Registry of Deeds in Plan Book 16, Page 49; more particularly described as follows:

Beginning at the northwesterly property corner of the above described parcel or lot of land at the intersection formed at the easterly sideline of Sheridan Street and southerly sideline of the aforementioned 30 foot passage way, said intersection being North $11^{\circ}-56'-29''$ West, a distance of 44.86 feet from the 5/8- inch drill hole described as the Point of Beginning of the above described lot;

Thence, by and along the easterly sideline of Sheridan Street, North $11^{\circ}-45'-58''$ West, a distance of 30.04 feet to a 5/8-inch capped rebar inscribed with "PLS #2075" at or near the land now or formerly of Jane E. Glass as described in a deed recorded in the Cumberland County Registry of Deeds in Book 14165, page 343;

Thence, by and along the land of the aforementioned Jane E. Glass and the land now or formerly of Douglass Goldhirsh and Sharon Goldhirsh as described in a deed recorded in the aforementioned Registry in Book 20967, Page 141, North $75^{\circ}-16'-43''$ East, a distance of 150.01 feet to a passage way now or formerly of the City of Portland;

Thence, by and along the passage way, South $12^{\circ}-28'24''$ East, a distance of 30.02 feet to the land now or formerly of the herein grantor Peter E. O'Donnell, III;

Thence, by and along the land of the aforementioned O'Donnell, South $75^{\circ}-16'37''$ West, a distance of 150.38 feet to the Point of Beginning.

Containing 4505.6 square feet or 0.10 acres.

Received
Recorded Register of Deeds
Jun 15, 2005 03:01:24P
Cumberland County
John B O'Brien

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT made and entered into this 4th day of May, 2005, by and between Douglas Goldhirsch and Sharon Goldhirsch, of Boothbay, Maine (collectively the "Seller") and Greg Shinberg of Freeport, Maine ("Buyer").

WITNESSETH:

1. PREMISES. Seller agrees to sell and Buyer agrees to buy the land, buildings and improvements situated at 131 to 135 Sheridan Street, Portland, Maine consisting of approximately 15,721 square feet of land and more particularly described on Exhibit A hereto, together with any and all fixtures situated thereon (collectively the "Premises").

2. PURCHASE PRICE. Subject to any adjustments and prorations hereinafter described, Buyer agrees to pay for the Premises the sum of Three Hundred Thousand Dollars (\$300,000), payable as follows:

(a) Deposit. _____ as a deposit (the "Deposit") at the time of the execution of this Agreement, which shall be kept in an interest-bearing account and shall be credited toward the purchase price at the closing. The Deposit shall be fully refundable from Seller to Buyer for a Study Period of twenty-one (21) days from the execution of this Agreement to allow Buyer to perform due diligence. Buyer may elect to proceed with the purchase of the Premises but to do so must increase the Deposit by an additional _____ making the Deposit Total _____ Dollars (_____ is the property of the Seller and is non-refundable except as provided in this Agreement and will be applied to the Purchase Price.

(b) Additional Deposit. Sixty-six days after the execution of this Agreement Buyer may elect to proceed with the purchase of the Premises but to do so must increase the Deposit by an additional _____ Deposit Total _____ Dollars. The new Deposit of _____ Dollars _____ is the property of the Seller and is non-refundable except as provided in this Agreement and will be applied to the Purchase Price.

(c) Cash at Closing. The balance of the purchase price, _____ Dollars (_____) shall be paid by certified check or bank cashier's check at the closing.

3. TITLE. Seller shall convey the Premises to Buyer at the closing in fee simple with good and marketable title. In the event that Seller is unable to convey title as aforesaid, upon written notice from Buyer, Seller shall use diligent efforts to remedy all title defects. In the event that said defects are not remedied within ninety (90) days from the date of such notice, then the Deposit shall be returned to Buyer and this Agreement, and Seller's and Buyer's obligations

DG [Signature]

hereunder, will terminate. Buyer may, at Buyer's option, elect to close notwithstanding such defects as may exist.

4. CLOSING. The closing of this transaction shall take place on November 4, 2005 at three o'clock P.M., at the offices of Greg Shinberg, Portland, Maine, or, if the Buyer and the Seller shall mutually agree in advance and in writing, at another time and place. At the closing, Seller shall execute and deliver to Buyer, against payment of the balance of the purchase price, a Warranty Deed to the Premises (the "Deed"). Buyer may at Buyer's option elect to extend the Closing date to December 5, 2005 by paying to Seller an additional non-refundable Deposit (except as provided in this Agreement) of _____ that will be applied to the total Purchase Price thus changing the Cash at Closing to _____ Dollars.

5. RISK OF LOSS, DAMAGE, DESTRUCTION AND INSURANCE. Prior to the closing, the Premises shall be the sole responsibility of Seller and Seller shall bear the risk of any loss to the Premises whether by fire or otherwise. Seller agrees to maintain casualty insurance upon the Premises in an amount equal to at least the full purchase price. In the event of any casualty loss, Buyer shall have the alternative of either terminating this Agreement by written notice, whereupon Buyer shall receive back the Deposit plus accrued interest, or of accepting the insurance proceeds made available and closing notwithstanding such loss.

6. INSPECTION. At all reasonable times during the term hereof, Buyer shall have the right to enter the Premises and perform such inspections, engineering tests, soil tests, surveys, hazardous waste investigations, water tests, or other inspections as Buyer deems necessary or appropriate. Buyer agrees to return the Premises as nearly as possible to its original condition after all of such tests and inspections. If the results of a hazardous waste inspection done pursuant to this Paragraph is unsatisfactory to Buyer, Buyer shall have the right to terminate this Agreement by written notice and receive back the entire Deposit, plus accrued interest.

7. REPRESENTATIONS AND WARRANTIES. Seller makes the following representations and warranties, upon which buyer is expressly relying, notwithstanding Paragraph 6 above:

(a) The Premises are served by existing public water and sewer systems, and such systems have adequate capacity to serve the Premises.

~~(b) The Premises have an adequate private water supply of potable water. The subsurface waste disposal system on the Premises is in good condition and is free of any defects.~~

(c) The Premises either abut a public way or have legally sufficient deeded access to a public way.

out of D6 Dr

SH D6 Dr

2W

- (d) There are no boundary disputes, encroachments or litigation pending with respect to the Premises or Seller's ownership thereof.
- (e) There are no hazardous or toxic materials, wastes or substances in or on the Premises in any amounts that would violate or require reporting or remedial or responsive action under any federal, state or local law or ordinance.
- (f) The Premises consist of not less than 15,000 square feet.

8. POSSESSION. Seller shall deliver possession of the Premises to the Buyer free and clear of all leases, tenancies and occupancies by any person [except those listed on Exhibit B attached hereto and made a part hereof].

9. ADJUSTMENTS, PRORATION AND CLOSING COSTS. Real estate taxes and assessments and all utilities shall be prorated as of the closing on the basis of the latest available tax bill. The Maine real estate transfer tax shall be paid by Seller and Buyer. The recording fee for the Deed and any expenses relating to Buyer's financing will be paid for by Buyer.

10. CONDITIONS PRECEDENT. Buyer's obligation to close hereunder is subject to satisfaction of the following condition at or before closing:

- (a) As of the date hereof, and as of the date of closing, all of Seller's representations and warranties shall be true and correct.

If the foregoing condition is not satisfied within the time specified or if no time is specified, by the closing date, Buyer shall be entitled to receive back the entire Deposit plus accrued interest, whereupon this Agreement shall terminate and neither party will be under any further obligation hereunder.

11. DEFAULT AND REMEDIES. In the event that Buyer fails to close hereunder for a reason other than the default of Seller, Seller shall retain the Deposit plus accrued interest as full and complete liquidated damages in lieu of any other legal or equitable remedy, whereupon this Agreement will terminate and neither party will be under any further obligation hereunder. In the event of Seller's default hereunder, Buyer shall have available all remedies at law and in equity, including without limitation the right to compel Seller to undertake its best efforts to bring the Premises into compliance with Seller's representations and warranties.

12. MISCELLANEOUS. Time is of the essence of this Agreement. All notices, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the first business day after mailing if mailed to the party to whom notice is to be

2X

given by first class mail, postage prepaid, certified, return receipt requested, addressed as follows:

TO SELLER: Douglas & Sharon Goldhirsch
26 CROW POINT LANE
TREVETT, MAINE 04571

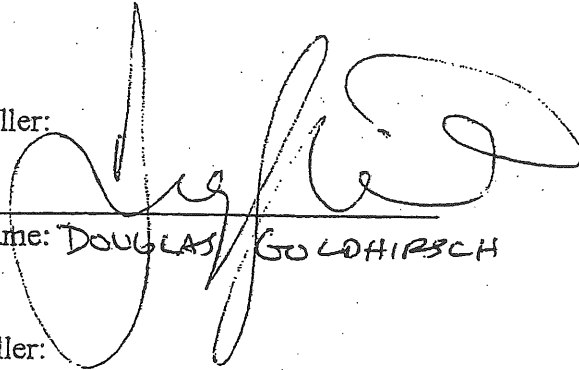
TO BUYER: Greg Shinberg
37 Beech Hill Road
Freeport, ME 04032

Either party may change addresses for purposes of this paragraph by giving the other party notice of the new address in the manner described herein. Seller's representations and warranties shall survive the closing. This Agreement will inure to the benefit of and bind the respective successors and assigns of Seller and Buyer. This Agreement may be simultaneously executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, but all of which together shall constitute one and the same instrument. As used in this Agreement, the singular number shall include the plural, the plural the singular, and the use of the masculine shall include, where appropriate, the feminine and neuter. This Agreement shall be governed by and construed in accordance with the laws of Maine. If any provision of this Agreement is determined to be invalid or unenforceable, it shall not affect the validity or enforcement of the remaining provisions hereof.

IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement as of the date first written above.

WITNESS:

Seller:



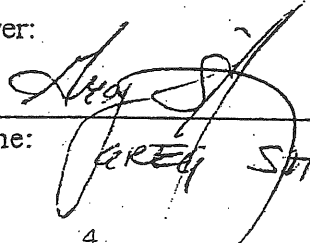
Name: DOUGLAS GOLDHIRSCH

Seller:



Name: Sharon Goldhirsch

Buyer:



Name: GREG SHINBERG



PROJECT DATA

Applicant	Sheridan Street, LLC 477 Congress Street, 5 th Floor Portland, Maine 04101
Owner	Sheridan Street, LLC 477 Congress Street, 5 th Floor Portland, Maine 04101
Zoning	Residential 6 Proposed Residential 7
Map and Lot Number	Map 13, Block K Lots 2 & 17
Land Area	27,906.4 Square Feet
Existing Land Use	Privately Owned Single Family Residence and vacant lot
Proposed Land Use	Residential Condominiums
Water	Proposed 8-inch main in Sheridan Street
Sewer	Existing 8-inch main in Sheridan Street
Electric, Telephone and Cable TV	Overhead services are located along Sheridan Street to go underground to building
Natural Gas	Existing 4-inch gas line in Sheridan Street

ABUTTING PROPERTY OWNERS

Jane E. Glass
125 Sheridan Street
Portland, Maine 04101

Map: 13 / Block: K / Lot:4
Book: 14165 / Page: 343
Address: 125 Sheridan St. Portland, ME

Fort Sumner, LLC
12 Simonton Street
South Portland, Maine 04106

Map: 13 / Block: K / Lots: 28, 33 & 36
Book: 21832 / Page: 163
Address: 119 Sheridan St. Portland, ME

Shailer Emerson Associates
307 Cumberland Avenue
Portland, Maine 04101

Map: 13 / Block: K / Lot 1
Address 58 North Street, Portland, ME

City of Portland

Map: 13 / Block: K / Lots:8, 10, 11, 12 & 14

2AA

PUBLIC UTILITIES

The existing house located at 121 Sheridan Street is currently served by existing utilities located in Sheridan Street. The new units will be served by existing utilities located in Sheridan Street. The following utilities are available:

WATER

An existing 4-inch water main in Sheridan Street will be upgraded to an 8-inch water main. See enclosed letter of availability from Portland Water District.

SANITARY SEWER

There is an existing 8-inch sanitary sewer main located in Sheridan Street, which will serve both buildings.

STORM DRAIN

There is an existing 12-inch storm drain system that is located in Sheridan Street that will serve the project. Curb inlets are located on Sheridan Street to the north of the property.

NATURAL GAS

There is an existing 4-inch natural gas line located in Sheridan Street that will serve the project.

ELECTRIC, TELEPHONE AND CABLE TV

Electric, telephone and cable TV service will serve the project from existing overhead lines that will be run underground to the buildings. See enclosed letter from CMP.

2AB



Portland Water District
FROM SEBAGO LAKE TO CASCO BAY

September 9, 2005

Greg Shinberg
Shinberg Consulting
477 Congress St. 5th Flr
Portland, me. 04101-3427

Re: 135 Sheridan St.-28 unit Condominium Project

Gregg:

This letter is to confirm there should be an adequate supply of clean and healthful water to serve the needs of the proposed 28 unit condominium project to be located at 135 Sheridan St. in Portland. Checking District records, I find there is a 4"DI water main on the east side of Sheridan St. which may need to be upgraded to 8"DI water main to serve the condominium project. The nearest hydrant is located within 500' feet of the property. Area maps with main and hydrant locations is included.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the needs of your proposed project.

Hydrant Location: Sheridan St. 300' north of Cumberland Ave.
Hydrant # 360
Static pressure = 62 PSI
Flow = 1111 GPM
Last Tested = 5/20/2005

If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District

Jim Pandiscio
Means Coordinator



Central Maine Power

2AC

September 8, 2005

Mr. Greg Shinberg
C/O Sheridan Street LLC
477 Congress Street 5th Floor
Portland, Maine 04101

RE: Condominium Plans, 135 Sheridan Street, Portland, Maine

Dear Mr. Shinberg,

This letter is to advise you Central Maine Power has sufficient single phase electrical capacity in the area to serve the subject project.

Once the project is accepted by the City of Portland, the owner will need to call our Customer Service Center at 1-800-565-3181 to sign up for a New Account and a Work Request Order so we may start a cost estimate.

To complete the cost estimate I will need the information of what voltage is required, the size of the main disconnect and the kilowatt loads required for the new facility. This information should be provided to me from the electrician or electrical engineering firm.

If any Central Maine Power assets are required to be placed on the customers property an easement will be required.

If you have any questions please feel free to call me at 828-2882.

Sincerely,

Paul DuPerre
Technical Advisor

An equal opportunity employer

162 Canco Road | Portland, ME 04103
tel (800) 750-4000

www.cmpco.com

An Energy East Company

2AD

SOLID WASTE

Solid waste and recycling will be accommodated by common collection within the Condominium buildings. Disposal will be by contract with a private contractor on a schedule to be determined.

ZAE

TECHNICAL CAPACITY

The following firms and individuals have provided technical information in support of this application:

Shinberg Consulting
477 Congress Street
Portland, Maine 04101
207 523 3410
Contact: Greg Shinberg

Project Management

TFH Architects
100 Commercial Street
Portland, Maine 04101
207 775 6141
Contact: Scott Teas

Architect/Planner

James Sterling Architect
142 High Street
Portland, Maine 04101
207 772 0037
Contact: Jim Sterling

Associate Architect

SGC Engineering, LLC
501 County Road
Westbrook, Maine 04092
207 347 8100
Contact: John Riordan

Civil Engineers

Back Bay Boundary
643 Forest Avenue
Portland, Maine 04101
207 774 2855
Contact: Robert Greenlaw

Surveyors

Sasaki Associates
64 Pleasant Street
Watertown, MA 02472
617 926 3300
Contact: Stuart Dawson

Landscape Architects



Camden National Bank

5 Milk Street • Portland, Maine 04101 • www.camdennational.com

207-774-6736 Member F.D.I.C. 800-860-8821

2AF

August 31, 2005

City of Portland
Planning Department
Portland, ME.
(Hand Delivery)

RE: Sheridan Street LLC / 121 Sheridan Street Project

Gentleperson's:

The owners of the Sheridan Street Project have informed us of their plan to develop this project on lands that they currently own at 121 and 135 Sheridan Street in Portland.

Based upon Camden National Bank's credit review, knowledge of the project and the financial capacity of the developers, Joshua D. Marvil and Greg L. Shinberg, we believe there is adequate financial capacity and resources available in the market to undertake and complete this.

Should you have any questions on this matter, please do not hesitate to contact me at 207-774-6736.

Sincerely,

Richard Littlefield
Senior Vice President
Camden National Bank

2AG

PROJECT SCHEDULE

The anticipated construction schedule for the project is approximately nine months. Construction is anticipated to commence in the spring of 2006.

ACTIVITY	ANTICIPATED DURATION
Rough out Site	March 2006 to March 2006
Remove Existing Garage	March 2006 to March 2006
Erosion Control Measures	March 2006 to March 2006
Utilities and Storm Drainage	April 2006 to May 2006
Building Construction	May 2006 to November 2006
House Renovation	May 2006 to August 2006
Final Grading	October 2006 to November 2006
Paving / Planting & Seeding	October 2006 to November 2006

SHERIDAN STREET, LLC
477 Congress Street, 5th Floor
Portland, Maine 04101-3427
207 523 3410 Office
207 773 8597 Fax

November 29, 2005

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

**RE: Sheridan Heights Condominiums
121 and 135 Sheridan Street, Portland, Maine**

Dear Mr. Jaegerman and Board Members:

Enclosed is a revised submission for the Sheridan Heights project proposed for 121 and 135 Sheridan Street on Munjoy Hill. The project has been revised based upon the feedback received at the Planning Board meeting held on November 8 and the Neighborhood meeting held on November 14.

The total number of units has been reduced from 31 to 24 units. The design for the 121 Sheridan Street remains the same as what was presented at the previous Planning Board meeting.

The building located at 135 Sheridan Street has been reduced in size considerably. The building no longer spans the passageway and the structure originally proposed for the rear corner of the site has been eliminated. In addition, the garage doors have been moved to the interior of the property in addition to other changes that respond to the requirements established in the Design Standards for the R-7 Overlay Zone. There are now a total of 37 parking spaces (23 covered and 14 surface). While one space per unit is

required in the R-7 Zone, we propose to build many more parking spaces—a ratio of one and a half spaces per unit.

We have listened to the stakeholders and worked with our design professionals to make changes to the project that should address many of the concerns expressed by the neighbors, Planning Board and City Staff.

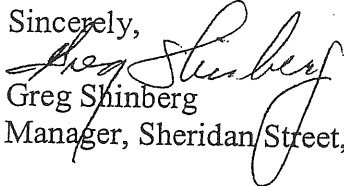
The primary design elements are as follows:

- The Main Entry is oriented towards Sheridan Street;
- Wherever possible, the porches and bays face the street;
- The design is a visible and permanent expression of the character of the neighborhood with elements that include bays, a mixture of siding components present on nearby structures, a flat roof with cornice, colors and textures that will complement the neighborhood;
- The garage entry is located within the site, an element that is in character with other residences in the neighborhood;
- The façade is unique and articulated to provide an exciting visual interest to the pedestrians;
- Carefully chosen landscape elements that will enhance the building and property utilizing materials that are natural to this location;
- The units will be constructed to assure visual privacy with high quality materials that will provide acoustic privacy between the units;
- The large number and size of windows and doors will maximize natural light and ventilation within the units.

Attached are the revised Site Plans, Elevations and Floor Plans. Also included are the minutes from the Neighborhood Meeting.

We look forward to the meeting on site with the Planning Board and City Staff on December 6.

Sincerely,


Greg Shinberg
Manager, Sheridan Street, LLC

AH. 21

SHERIDAN STREET, LLC
477 Congress Street, 5th Floor
Portland, Maine 04101-3427
207 523 3410 Office
207 773 8597 Fax

To: Portland Planning Board Members
From: Greg Shinberg, Manager
Date: November 29, 2005
RE: Minutes from the Neighborhood Meeting held on 11/14/05 for the
Sheridan Heights project located at 121 and 135 Sheridan Street

The following is a record of the Neighborhood Meeting held from 6:30 to 8 PM at the
Adams School on November 14, 2005.

Present on behalf of Sheridan Street, LLC:

- Scott Teas, TFH Architects (ST)
- Mitchell Rasor, MRLD, LLC (MR)
- Greg Shinberg, Manager, Sheridan Street, LLC (GS)
- Neighbor (N)

The meeting started at 6:35 PM.

GS presented the team to the citizens present.
 GS asked all members of the community to sign the attendance sheet and that a handout is available to all present.
 ST presented to the public a general overview of the project.
 ST described the R-7 Zone and how it relates to the current R-6 Zone.
 ST gave a general overview of the number of units, height, setback and parking requirements for the R-7 v R-6 Zones.
 ST gave a brief description of the exterior materials proposed for the project.
 ST emphasized that the design is preliminary and conceptual at this time.
 ST compared this project to the existing multi-family residences nearby.
 N asked ST to elaborate on the overall number of units, the size, setbacks, number of bedrooms in a typical unit, the size of a typical unit etc.
 ST replied that a typical unit is 1,000 to 1,100 square feet, 2 Bedroom, with Living Room, Kitchen, Master Bedroom with attached Full Bath, a second 3/4 Bath, Storage Space, External Deck or Patio and Common Hallways, Elevator, Stairs, and underground Parking Garage.
 ST explained the concept of "flats" on the 1st and 2nd floors and "townhouse" style units

4/a

with interior stairs on the 3rd and 4th floors that lead to the "penthouse" with exterior deck adjacent.

MR presented to the public a general overview of the site improvements to the public.

MR explained how the project is conceptually a very good fit for the neighborhood.

MR stated that the project has been designed with the intention of maintaining view corridors for the neighbors located on North Street nearby.

N (Ms. Glass, the adjacent neighbor located at 125 Sheridan) asked a question in regards to improvements shown on the Site Plan provided by MR that affected her property rights.

GS answered that their Attorney has reviewed this issue and will provide an opinion that supports the proposed use of the Easement present. GS also stated that their Attorney has spoken to the City of Portland Attorney about this issue.

N stated that "unless you are square to the view corridors, one cannot see thru to the views".

N stated that he did not like the "bridge" over the Easement and asked if the developer had considered not having the "tunnel" for safety and aesthetic reasons.

N expressed that there are too many units for the size of the combined properties.

MR noted that it is basically a 3 story building with a 4th story in some places only.

N stated that "it is tremendous"

N stated that "it frowns over Sheridan Street with 4 stories of height".

MR and ST noted that some of the design is driven by code requirements such as handicap access etc.

N asked "why do 30 units and not 24?"

GS responded that he is looking into but that the cost of the underground parking and surface parking drives up the construction costs that must be spread out over the total project costs.

N asked how many units are allowed under the R-6.

GS responded "24".

N asked if the properties are combined if that number is decreased.

GS stated that he believes that combining the properties loses one unit.

N asked if a traffic study is required.

GS stated that the Planning Board or City Staff may require a traffic study.

N expressed concern that Sheridan Street is narrow and 2 cars can have difficulty passing.

N asked what studies must be done by the developer.

GS stated that it depends upon what the Planning Board and Staff require.

N asked what the access is to the rear of the property where the City owned property is located.

GS responded that the access to that property will be maintained.

N asked about the location of the garage doors and entry to the building.

ST responded that the garage doors are located on Sheridan Street because it is the best place to get to the underground parking as it is the lowest point on the site.

N expressed concern that this project will cause gentrification to the neighborhood. That it will push out the lower income renters.

N expressed concern over the loss of green space.

N expressed concern that the pathways to North Street will be lost.

N stated that the hill side is a good place for sledding and sliding in the winter.

N expressed concern that the developer is not building any affordable units as a part of the project.

GS stated that Sheridan Street, LLC offered to donate the existing house to Greater Portland Habitat for Humanity last summer. GS was told by the Assistant City Manager Larry Mead

#b

to meet with the local City Councilor to discuss the donation of the house on to the City owned parcel adjacent to 135 Sheridan Street. GP H for H met with Councilor Gorham who denied the request stating that that piece of land is designated for a Community Garden.

N expressed concern over increased traffic.

GS stated that he had met with Tom Gorrill of Gorrill & Palmer and that the traffic impact is acceptable to the location and should not be an unreasonable impact on the neighborhood.

GS stated that a Traffic Study will be done before the City Council action.

N expressed that he wants the project to be smaller.

GS stated that his company would consider that option.

Meeting adjourned at 7:55.

#C

SHERIDAN
NEIGHBORHOOD

HEIGHTS
MEETING

11/14/05
6:30 - 8:00 PM

NAME

ADDRESS

MIKE NOBRE

109 SHERIDAN ST.

Flaine Ploonde

142 Sheridan St

David Cowie

32 North Street

Justin Alford

134 Sheridan street

Jane Gray

125 Sheridan St

Markos Miller

17 Atlantic St.

Randee Buckall

117 Congress St.

GARY MARCISSO

69 Vespa St.

Att. 5

Kandi Talbot - Fort Sumner Park

From: "Regina Leonard" <rsl@design@juno.com>
To: <JST@portlandmaine.gov>
Date: 12/29/2005 10:47 AM
Subject: Fort Sumner Park
CC: <shmrkbay@maine.rr.com>, <kcote@portlandmaine.gov>, <sh@portlandmaine.gov>

Hi Jeff,

Jaime Parker of Portland Trails and I met with Greg Shinberg recently. At the meeting, we discussed an alternate location for the community garden space since shade will be an issue at the currently proposed location. There is another City owned parcel located east of the proposed condo parking area that seems acceptable. Greg is willing to make a pedestrian connection through the parking area. If you look on Map 13, the lot is labeled K5. This parcel seems very acceptable for the proposed use and the location is very accessible. I plan to discuss this with the Committee at our upcoming meeting.

We also discussed the trail work being done in collaboration with his project. He is willing to make a donation, but prefers to have the City do the work or hire it out. I estimate that 250 linear feet of trail is necessary from the parking area to the Sumner Court connection. The cost would be approximately \$5,000 for a gravel trail with steps in steep locations (granite supplied by City). We do not have formal construction documents for bidding, so the hope would be that the City could do the work in house or as a community build project. We can talk about what it might take to prepare documents, but I would suggest that the most cost effective route would be to lay out the trail in the field and make adjustments as necessary along the way. We do not have sufficiently accurate base materials to prepare a technical plan, in my opinion - and the cost of the project does not warrant the expense of a field survey or construction document preparation.

As well, Jaime and I discussed the need for a more formal trail head at Sumner Court (benches, signage, and seating area = \$4,000 approximately). We also understand that a new development has been proposed here - so perhaps there might be another opportunity to have a donation. Maintenance of the trails would be helped with a yearly financial commitment from the tenants of the condo(s) possibly. Mr. Shinberg has expressed a desire to maintain control over the trail maintenance - it being on City property, I'm not sure how that will work and probably warrants further discussion with City staff and officials.

Mr. Shinberg will be attending the upcoming meeting on the 3rd to discuss the project with the Committee members. The meeting is scheduled for 6pm at the Munjoy Hill Neighborhood Center.

Call me if you'd like to discuss this in greater detail. I've copied Councilor Gorham and the Planning staff on this correspondence to keep everyone up to speed.

Regina S. Leonard
Landscape Architecture & Design
234 State Street
Portland, ME 04101
Tel. (207) 450-9700

AH. 6

From: Douglas Cowie <jdcowie@gwi.net>
Date: 12/07/2005 1:24:58 PM
Subject: Re: Sheridan Street LLC map amendment - Dec 6 Mobile Planning BoardWorkshop

Ms Talbot, this is a post script to the e-mail below. My wife, Annie, is a member of the Fort Sumner Park committee for which the landscape architect who spoke at the mobile workshop yesterday is working. Annie just told me she understands one of the elements of the plan is to lower the elevation of the Park Lookout to that of the Park, so that it doesn't block the view from the Park, as it does now. The elevation of the Park is about the same as that of the land behind Shailer School [if anything the Park is lower], and I think the architect said yesterday that the proposed buildings would be higher than the fence behind Shailer, which is about 4 feet above ground level. So, unless I misunderstood him, the ultimate elevation of the Park Lookout will be lower than those buildings, by at least 4 feet, and thus have the potential of blocking the views from the Lookout in their direction.

James Douglas Cowie
32 North St

Douglas Cowie wrote:

- > Dear Ms Talbot:
- >
- > It was nice meeting you at the workshop yesterday. One reason my wife,
- > Annie, and I are opposed to this variance is the height of the
- > proposed buildings, which the architect said yesterday would be very
- > close to the 50 foot R-7 limit. We live on North Street. The new
- > 45-foot building on Sheridan Street obliterates our view of the city
- > in that direction; it is far higher than the horizon. We used to be
- > able to see planes land at the airport. Those views are gone forever.
- > Today, we have a nice view from our kitchen window of southern end of
- > Back Cove. Once the proposed buildings are up, it will obliterate
- > that view, too. We would like these comments to be provided to the board.
- >
- > In addition, and more important, is whether that building will block
- > any views from the Fort Sumner Lookout. Therefore, we are requesting
- > that board require the developer to present a drawing at the next
- > workshop, or at the public hearing, that shows the elevations of the
- > Fort Sumner Lookout and of his proposed buildings, and that preferably
- > also shows the Lookout's view in the direction of the proposed
- > buildings, before they are built, and the view with the buildings in
- > place.
- >
- > Thank you,
- >
- > Annie and James Cowie
- > 32 North St
- >
- >
- >

From: Douglas Cowie <jdcowie@gwi.net>
To: Kandi Talbot <KCOTE@portlandmaine.gov>
Date: 12/07/2005 11:25:40 AM
Subject: Re: Sheridan Street LLC map amendment - Dec 6 Mobile Planning BoardWorkshop

Dear Ms Talbot:

It was nice meeting you at the workshop yesterday. One reason my wife, Annie, and I are opposed to this variance is the height of the proposed buildings, which the architect said yesterday would be very close to the 50 foot R-7 limit. We live on North Street. The new 45-foot building on Sheridan Street obliterates our view of the city in that direction; it is far higher than the horizon. We used to be able to see planes land at the airport. Those views are gone forever. Today, we have a nice view of southern end of Back Cove. Once the proposed buildings are up, it will obliterate that view, too. We would like these comments to be provided to the board.

In addition, and more important, is whether that building will block any views from the Fort Sumner Lookout. Therefore, we are requesting that board require the developer to present a drawing at the next workshop, or at the public hearing, that shows the elevations of the Fort Sumner Lookout and of his proposed buildings, and that preferably also shows the Lookout's view in the direction of the proposed buildings, before they are built, and the view with the buildings in place.

Thank you,

Annie and James Cowie
32 North St

Kandi Talbot wrote:

>Mr. Cowie:

>

>A "map change" changes the proposed property or area from one zoning designation to another. In this case the owners are requesting that the property be changed from R-6 to R-7 to allow for more density on the site. The City has an adopted zoning map and this map will be changed if the proposed zone change gets passed by the City Council.

>

>Any questions, please let me know. Thanks.

>

>Kandi

>

>

>

>>>>Douglas Cowie <jdcowie@gwi.net> 11/05/2005 4:11:55 PM >>>

>>>>

>>>>

>

>Ms Talbot, please tell me what a "map change" is.

>

>Douglas Cowie wrote:

>

>

>

>>Dear Ms Talbot:

>>

>>_Please convey these comments to the Planning Board._

>>

>>My wife, Annie, and I are vehemently opposed to the Planning Board
>>granting any variance that will allow this gigantic development, yet
>>another one on Munjoy Hill, already the most densely-populated
>>neighborhood in the city. From our home we look down on - [make that
>>"/over at/", because it's so high] - the 8-unit condo complex this
>>company has just built down on Sheridan Street. Now apparently they
>>want to add another 3-unit building to that relative monstrosity [it's
>>much higher than anything on that street]? And a 28-unit complex a
>>few doors down, presumably just as high - and three times bigger?
>>It's not fair, and could be unsafe, to allow another enormous housing
>>complex to an already congested neighborhood of this city.

>>

>>Over the years, although not in recent years, we have been to a number
>>of Planning Board meetings. The board always treated developers with
>>utter courtesy, keen interest, and virtually uncritically, but at
>>least some members responded to /public/ witnesses with acts of
>>apparent boredom [such as rolled eyes and paper shuffling] or
>>patronizing disrespect. We dearly hope the current board is different,
>>but we never saw a Planning Board reject a developer's project in
>>all the meetings we attended. Despite that we are hopeful this board
>>will see fit to /not/ approve a variance that will allow this
>>monstrous project to be built.

>>

>>It's possible Annie will be able to attend the workshop, but James
>>works full time in Augusta and cannot. Please let us know when the
>>board will hold a public hearing on this project and when it will
>>actually vote on it, and if that vote will be open to the public.

>>

>>Sincerely,

>>

>>Ann C. and James D. Cowie,

>>Owners, for 20 years, of the property at

>>32 North Street

>>Portland 04101

>>774-2365

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> > actually vote on it, and if that vote will be open to the public.
> >
> > Sincerely,
> >
> > Ann C. and James D. Cowie,

> > Owners, for 20 years, of the property at
> > 32 North Street
> > Portland 04101
> > 774-2365
> >
> >

CC: <wgorham@portlandmaine.gov>

From: <John.Lemieux@Advest.com>
To: <kcote@portlandmaine.gov>
Date: 11/15/2005 10:20:29 AM
Subject: 121 & 135 Sheridan Street Project (Sheridan Street LLC)

Dear Ms. Talbot,

As a resident of Sheridan Street (100 Sheridan) I am very concerned about the scale of the proposed 28 unit building at 135 Sheridan. My concern is that Sheridan Street, between Cumberland Ave. and Walnut St. is currently a street of primarily owner occupied 2,3,& 4 unit buildings; 2,3 & 4 stories tall. Building a 28 unit structure is totally out of character for Sheridan Street. Certainly such a large building may fit under zoning guidelines (I am not familiar with those specifics) but such a structure would have a large impact on the look and feel of the street. I am not opposed to building housing on the open lots currently under consideration. It is the scale of the development that gives me pause. If the developers wished, and were able to put up 7 four unit buildings in keeping with the general character of the neighborhood, I would not object. I urge careful consideration of the merits of the scheme under review and hope that the City and the Planning Board will assist the developers and the neighborhood in finding the best way to proceed.

If, in fact, this project is pushed forward, the ramifications on traffic should be carefully studied. With the recently completed apartments on North St., the addition of another 28 units may well warrant the placement of a traffic light at the corner of Walnut St. and Washington Ave. to allow egress. It is currently not unusual to have a 5-10 minute wait on Walnut St. while a vehicle attempts to turn left on Washington Ave. In addition, the enforcement of existing parking and traffic laws would need to be stepped up to allow room for emergency vehicles to make their way down Sheridan between Cumberland Ave. and Walnut St.

Please feel free to call me if I can be of any assistance. My cell phone number is: 329-1962.

John A. LeMieux, CFP(r)
LEMIEUX WEALTH MANAGEMENT
Advest, Inc., Two Monument Sq., Portland, ME 04101
Ph: 207-774-6311; 800-597-8625

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From: Pamela Jack <pjack@maine.rr.com>
To: <kcote@portlandmaine.gov>
Date: 01/05/2006 2:27:21 PM
Subject: Proposed Zoning Change for Development at 121 & 135 Sheridan St., Portland

Hi Kandice,

It was a pleasure speaking with you today regarding my questions about the proposed zoning change for the proposed development at 121 & 135 Sheridan Street in Portland.

I own the property at 26 North Street. Since Sheridan Street is the street below mine, any new development will affect me, as well as the other residents in my neighborhood.

As I mentioned to you when we spoke, I have several concerns with adding 24 more residences on Sheridan Street. To begin with, Sheridan Street is quite narrow. To make matters worse, many residents park on both sides of the street at the Cumberland Avenue end, often making the street a single lane.

The intersection of Walnut Street and Washington Avenue is already difficult, given that there is no traffic light. Adding the daily traffic burden of 37 more cars coming and going at this intersection will make it even more dangerous.

I don't see why the City should change the zoning of the property from R-6 to R-7 simply to allow a developer to build more units. The advantage to the developer is obvious, but I don't see any benefit to our neighborhood by allowing this to happen.

I understand that development is sometimes necessary. I do not object to the fact that someone proposes to build on this parcel; rather, I object to the large number of units proposed on such a narrow street. There is currently an 8 unit building under construction at 117 Sheridan Street. If development is to happen at 135 Sheridan Street, I think that a building similar to the one being constructed at 117 Sheridan, with a similar number of units, is more appropriate for the property and the neighborhood.

Thank you for your time and attention.

Pamela Jack

26 North Street
Portland

February 4, 2006

Kandice Talbot, Planner
Planning Division
City Hall, 4th Floor
389 Congress St.
Portland, ME 04101

Dear Ms. Talbot and Planning Board Members:

I am writing in regard to the proposed rezoning of the property located at 121 and 135 Sheridan Street from R-6 to R-7. This letter is in addition to the wide range of concerns that have already been voiced by the community.

I strongly urge the Planning Board to decline this zoning change proposal. This project does not reflect the intentions, or meet the specifications of the R-7 zoning.

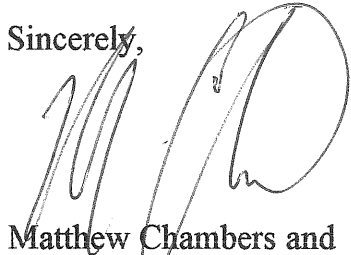
The R-7 zoning ordinance was printed in several places within the Planning Board Memorandum packet that you prepared. Within the lengthy description it states, *"The intent of this zone (R-7) is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types."*

Attached to this letter is a three-page real estate advertisement for the recently completed building at 117 Sheridan Street. The prices for these units range from \$319,900 - \$359,900. And those prices are before many of the necessary appliances and decorations have been installed (see page 3), so the actual costs would be even higher.

The proposed units at 121 and 135 Sheridan are remarkably similar in description to those at 117 Sheridan Street. The proposed units are described as 2 bedroom units with an average square footage of 1,300 square feet. The eight 2 bedroom units at 117 Sheridan St. are 1,150 – 1,175 square feet. Therefore, the real estate value of the proposed units, were they constructed, would be well over \$300,000.

Housing that costs over \$300,000 ***DOES NOT*** represent an increased opportunity for *"owners and renters representing a variety of income levels and household types."* Quite simply, these will essentially be luxury units available only to a very specific type of income level and household type.

Sincerely,

A handwritten signature in black ink, appearing to be a cursive combination of the names Matthew and Lesli Chambers. The signature is written over the printed names below it.

Matthew Chambers and
Lesli Chambers
44 North St.
Portland, ME 04101

Sumner Place Condominium

117 Sheridan St.

Portland

MLS#s 766142 thru 766149



8 new condominium units

4 front to back "Flats"

1150 sqft. 2 bedrooms, 1 3/4 bathrooms, secure storage, parking for 2

\$319,900

4 top corners "Townhouse" Units

1175 sqft. 2 bedrooms, 1 1/2 bathrooms, gas fireplace, secure storage, parking for 2

\$339,900 - \$359,900

All available for occupancy by late February '06

John Murton
Keller Williams Realty
553-2614

Sumner Place Condominium

117 Sheridan St., Portland, ME 04101

Unit Specifications

2 Bedrooms

1 ½ Bathrooms in Town House; 1 ¾ Bathrooms in Flat

Wood frame construction, 2 x 6 exterior walls

R-19 min. insulation in walls, R 30 min in ceilings

½ and 5/8 finished drywall interior walls with “white” painted finish

Painted interior doors, jambs, casings and trim

Builders grade interior hardware, Schlage or equal, brass finish

Cherry Kitchen, Glenwood, Shaker half overlay panel doors, natural finish,
almond melamine interior construction, wood dovetailed drawers

Plastic laminate counter top. Granite counter top optional at additional cost

Gas fireplace Vermont Castings Majestic 36BVR/T in Town House Living Room

Maple Hardwood floors in Living Room, Dining Room, Kitchen and Hall

Vinyl Flooring in Bathrooms, Ceramic Tile optional at additional cost

Carpet in Bedrooms, Hardwood optional at additional cost

Hardwood stair treads and handrails in Town House

Kohler plumbing fixtures, K-2293 Pedestal bathroom sinks, K-3422 Toilet, K-1585/1586 One Piece Bath and Shower Module

Grohe Classic 21-175 Bathroom Faucets

Grohe Tempra 4000 Shower/Tub Diverter/Volume Control, Shower Head and
Tub Spout

Elkay ELUH3118 Lustertone Double Bowl Stainless Steel Kitchen sink

Grohe Classic 31-771 Kitchen faucet

FHW gas heat 2 zones: LUNA 310Fi

Appliances included: Maytag MGR5751ADS gas 30” free standing Range – Stainless Steel

Maytag UMV1152BAS Over the Range Microwave/ Exhaust System - SS

Maytag MTF2193ARS 21 cuft Refrigerator - Stainless Steel

Maytag MDB4650AWS Dishwasher- Stainless Steel

InSinkerator Badger 5 garbage disposal

Frigidaire FEX831C Washer and Dryer- White (Flats)

Maytag MAH2400AWW, MAE2400AYW stacked Washer/Dryer (Town House)

Kitchen, Bathroom and Laundry fan assisted ventilation to the outside

Closet shelves and rods

Medicine Cabinet w/ mirror in full Bathroom

Bathroom Accessories: 2 towel bars, 1 tissue holder and curtain rod

100 amp Unit electrical service panel

Digital cable in convenient locations

Surface mounted light fixtures, convenience receptacles and switches per code.

Smoke detectors, hard wired w/ battery backup in bedrooms, living space and hallways

Secure remote entry access

Automatic fire suppression Sprinkler System

Deck/Porch natural Cambera wood

Secure basement storage

Landscaping: Trees, shrubs, flowering plants and grass

Parking: 2 designated spaces

Sumner Place Condominium
 117 Sheridan St., Portland, ME 04101

Allowances and Options*

Counter tops (plastic laminate)	\$ 1,650.00	
*Granite Counter Tops (Uba Tuba black/green/gold)	\$ 3,840.00	Add Option
Vinyl Bathroom Flooring	\$ 39.50 / sq.yrd.	
*Ceramic Tile in Bathrooms	\$ 12.15/ sqft	Add Option
Carpet in Bedrooms	\$ 20.00 / sq.yrd.	
*Maple Hardwood flooring in Bedrooms	\$ 9.30 / sqft	Add Option
Appliances		
Stove/oven: Maytag	\$ 480.00	
Refrigerator: Maytag	\$ 590.00	
Dishwasher: Maytag	\$ 360.00	
Microwave: Amana	\$ 210.00	
Washer/Dryer: Frigidaire (stacked) (Flats)	\$ 600.00	
Washer/Dryer: Maytag (stacked) (Town House)	\$ 925.00	
Electrical Fixtures: Surface mounted	\$ 550.00/ Unit	
Bathroom Accessories	\$ 265.00	Town House (1 ½ Bathrooms)
3 Towel Bars-Chrome: Jamestown Series, Franklin Brass		
2 Tissue Holders- Chrome: Jamestown		
Medicine Cabinet- White: Zenith M182		
Shower Curtain Rod- Chrome: Decor Bathware DH-177H-5'		
4 Towel Bars- Chrome: Jamestown Series	\$ 420.00	Flat (1 ¾ Bathrooms)
2 Tissue Holders- Chrome: Jamestown		
2 Medicine Cabinets- White: Zenith M182		
2 Shower Curtain Rods- Chrome: Décor Bathware		

Kevin Beal, Chair
Planning Board
389 Congress St.
Portland, Maine 04101

Dear Chairman Beal and members of the Planning Board,

I am writing in regards to the proposed Sheridan Heights condominium development that is coming before your board.

From what I have witnessed of the process, the developer, Mr. Shinberg, has show considerable care and sensitivity to the concerns of local residents, and a genuine interest in the improvement of the Munjoy Hill neighborhood in which the Sheridan project rests.

Throughout the process of public meetings, including a site visit, I have seen that not only has Mr. Shinberg listened to the concerns of neighbors of the site, but has directly altered his project to accommodate many of these concerns. Some examples a reduction in the number of proposed units, the relocation of the parking entrance to create a building façade that better relates to the existing housing stock, and the elimination of a proposed ‘covered alley’ that many thought would be an unsafe place.

Mr. Shinberg has also shown an interest in working with the community to improve various local public spaces. An under-used public space, considered unsafe by many local residents sits behind his property. He has shown an interest in seeing that this space is a safer, more inviting place for public use. Additionally, he has meet with the Fort Allen Re-design Committee, which is working on a new master plan of improvements to the Fort Allen Park that sits just up the hill from his site, as well as with a representative of Portland Trails. He seems sincerely interested in working with local citizens groups for the improvement of the park, and strengthening pedestrian connections in our neighborhood.

I am concerned that Mr. Shinberg’s project is once again another expensive condominium project. Munjoy Hill, and the City of Portland need housing that is within the price range of the diverse members of our local economy. This project does little to directly address the needs of existing residents, or to attract the families and workers that Portland needs to continue thriving as a city. I believe this is a problem beyond the scale of Mr. Shinberg’s proposal. Indeed, in private conversation Mr. Shinberg has expressed his interest in building such housing in Portland. I ask members of the Planning Board, city staff, and members of the City Council to take steps that might encourage, or make more possible, the construction of such housing.

In closing, I believe Mr. Shinberg has played by the rules. He has been honest, has listened respectfully, and has responded to concerns in a sensitive, intelligent manner. I hope that his involvement in local development will be an asset to the community. I believe that in asking for code variances, he is taking some of the steps needed to building the denser housing needed to meet the needs of a growing city. I support his project and ask you to do the same.

Sincerely,


Markos Miller

17 Atlantic St.
Portland, Maine 04101

To the City of Portland Planning Board:

Comments for the public hearing on the 123 & 135 Sheridan St Rezoning matter, to be held tonight, February 7, 2006.

I've attended both workshops on this proposal. At the most recent workshop several members of the public from Sheridan Street and North Street, who will be negatively-affected by the proposed building, spoke in opposition to its height, size, and scale. No one from the public spoke in support of it. The public comments mentioned the gigantic scale of the building relative to the type of homes on Sheridan and North Streets; the impact of the increased traffic on Sheridan Street, which is narrow, and the increased danger of the intersection of Sheridan and Walnut Streets; the loss of part of the easterly view from the Fort Sumner Park lookout [which is likely to be lowered about 5 feet, to the level of the park]; the loss of views of the Back Cove for North Street residents east of the park that will result from this building; questioned the public benefits of granting this zoning change, which will clear the way for the proposed building to be built; and questioned how many Portland residents will be able to afford the high cost to live in it, and, if few can, how it will help relieve any housing shortage in the city.

After the public comment, I was struck by no member of the board having a comment or question for any of the speakers, nor did any member ask the developer for his reactions to the public comment. This may have been because the workshop was the last of several workshops the board worked through that day, and the board may have been worn out. But if that's not the reason, I would like to know what is.

I hope - if the board decides to recommend that the City Council approve this proposal - the board will establish the concrete public benefits of this zoning change and the huge building the developer has proposed, that the board will also assess what the neighbors to this project will lose as a result of the building's size and height [as accounted in the public comment in opposition], and that it will describe, objectively, how the public benefits outweigh the losses.

Respectfully submitted,



James D. Cowie
32 North Street
Portland Maine 04101

Kandi Talbot - Sheridan Street R-7 Zoning Amendment

From: "Thomas Errico" <terrico@wilbursmith.com>
To: "Kandi Talbot" <KCOTE@portlandmaine.gov>
Date: 02/06/2006 4:28 PM
Subject: Sheridan Street R-7 Zoning Amendment

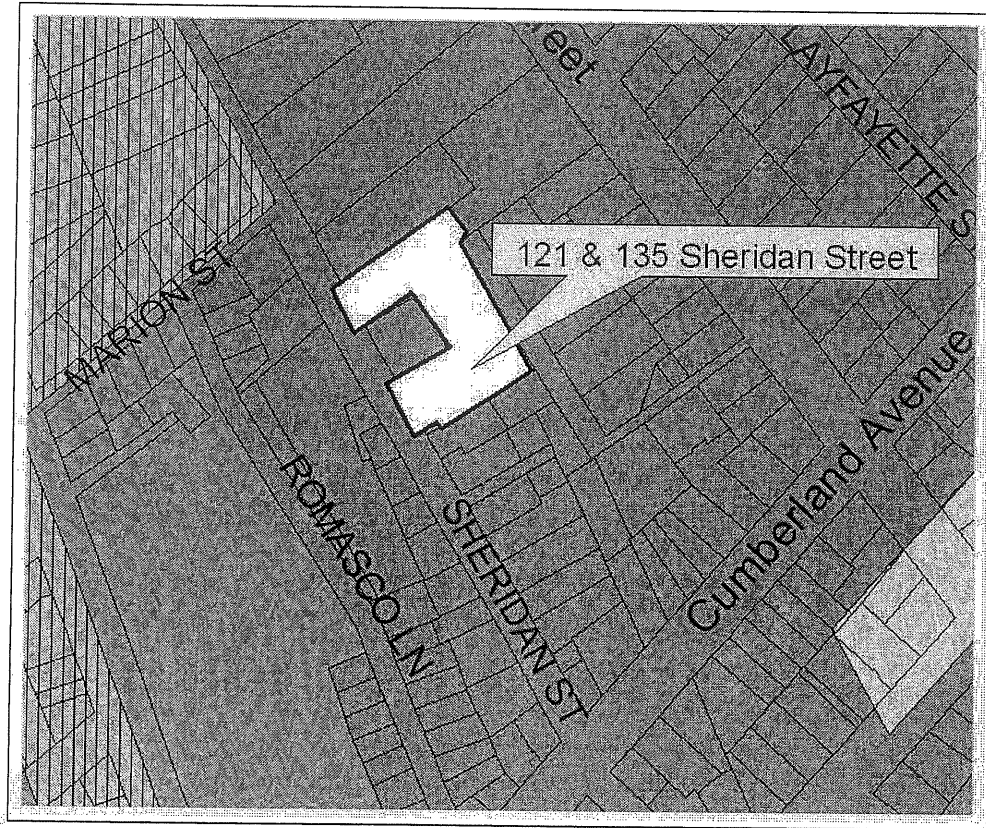
Kandi—

Last week I provided comments for the above project. I would like to note that I was incorrect in stating that only 17 parking spaces will be provided. It is my understanding that 38 parking spaces will be provided and therefore it is my professional opinion that adequate off-street parking will be provided.

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
(207) 871-1785 Phone
(207) 871-5825 Fax

Att. 10

**PROPOSED REZONING FROM R-6 RESIDENTIAL TO R-7 OVERLAY ZONE
FOR PROPERTY LOCATED AT 121 & 135 SHERIDAN STREET**



January 2006

Map Prepared by the Planning and Development Division



Att. 11

**COMPARISON CHART OF R-6 AND R7 ZONES
FOR REZONING REQUEST AT
121 & 135 SHERIDAN STREET**

	R-6 Residential Zone	R-7 Compact Urban Residential Overlay Zone
Purpose Statement:	<p>(a) To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses.</p> <p>(b) In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.</p>	<p>The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the new Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.</p> <p>Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can</p>

		accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood.
Permitted Uses:	<p><i>Residential:</i></p> <ul style="list-style-type: none"> *Single- and two-family dwellings. *Multifamily dwellings. *Handicapped family unit for handicapped persons plus staff. *Single-family, multiple-component manufactured housing except in a National Register Historic District. *Single-family, single-component manufactured housing, on individual lots under separate and distinct ownership, except in a National Register Historic District. <p><i>Other:</i></p> <ul style="list-style-type: none"> *Lodging house. *Cemeteries. *Parks, and other active and passive noncommercial recreation spaces. *Access uses customarily incidental and subordinate to the location, function, and operation of principal uses. *Home occupation. *Municipal uses. *Special needs independent living units, provided that a building housing special needs independent living units shall not house other types of 	<p><i>Residential:</i></p> <ul style="list-style-type: none"> *Single- and two-family dwellings. *Multifamily dwellings. *Handicapped family unit for handicapped persons plus staff. *Single-family, multiple-component manufactured housing except in a National Register Historic District. *Single-family, single-component manufactured housing, on individual lots under separate and distinct ownership, except in a National Register Historic District. <p><i>Other:</i></p> <ul style="list-style-type: none"> *Lodging house. *Cemeteries. *Parks, and other active and passive noncommercial recreation spaces. *Access uses customarily incidental and subordinate to the location, function, and operation of principal uses. *Home occupation. *Municipal uses. *Special needs independent living units, provided that a building housing special needs independent living units shall not house other types of

<p>Conditional Uses:</p>	<p>residential or other permitted uses. *Conversion of a structure existing on March 3, 1997, into a bed and breakfast with up to four (4) guest rooms.</p> <p><i>Residential:</i></p> <p>*Sheltered care group homes, for up to twelve (12) individuals, plus staff, and serving a primary population which is not handicapped persons, parolees, persons involved in correctional prerelease programs, or current illegal drug users. *Conversion of a structure existing on March 3, 1997, into a bed and breakfast with five (5) to nine (9) guest rooms.</p> <p><i>Institutional:</i></p> <p>*Elementary, middle, and secondary school. *Long-term and extended care facilities. *Intermediate care facility for thirteen (13) or more persons. *Intermediate care facility. *Church or other place of worship. *Private club or fraternal organization. *Community Hall. *Hospital. *College, university, trade school</p> <p><i>Other:</i></p> <p>*Utility substations, such as water and sewage pumping stations and standpipes, electric power substations, transformer stations, and telephone electronic equipment enclosures and</p>	<p>residential or other permitted uses. *Conversion of a structure existing on March 3, 1997, into a bed and breakfast with up to four (4) guest rooms.</p> <p><i>Residential:</i></p> <p>*Sheltered care group homes, for up to twelve (12) individuals, plus staff, and serving a primary population which is not handicapped persons, parolees, persons involved in correctional prerelease programs, or current illegal drug users. *Conversion of a structure existing on March 3, 1997, into a bed and breakfast with five (5) to nine (9) guest rooms.</p> <p><i>Institutional:</i></p> <p>*Elementary, middle, and secondary school. *Long-term and extended care facilities. *Intermediate care facility for thirteen (13) or more persons. *Intermediate care facility. *Church or other place of worship. *Private club or fraternal organization. *Community Hall. *Hospital. *College, university, trade school</p> <p><i>Other:</i></p> <p>*Utility substations, such as water and sewage pumping stations and standpipes, electric power substations, transformer stations, and telephone electronic equipment enclosures and</p>
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<p>Dimensional Requirements:</p> <p><i>Minimum lot size:</i></p>	<p>other similar structures.</p> <p>*Professional offices of a member of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians. Illustrative examples of type of professional offices permitted include health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent.</p> <p>*Chancellery.</p> <p>*Nursery school and kindergarten.</p> <p>*Off-street parking for passenger cars for uses permitted in the R-6 zone.</p> <p>*Day care facilities or home babysitting services not permitted as a home occupation.</p> <p>*Community Center.</p> <p>*Residential: forty-five hundred (4,500) square feet, except as provided for lots of record.</p> <p>*Long-term and extended care facilities: ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.</p> <p>*Intermediate care facility: one (1) acre.</p> <p>*School: Thirty thousand (30,000) square feet.</p> <p>*Church or place of worship: seventy-five hundred (7,500) square feet for a seating capacity of fifty (50) plus one thousand (1,000) square feet</p>	<p>other similar structures.</p> <p>*Professional offices of a member of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians. Illustrative examples of type of professional offices permitted include health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent.</p> <p>*Chancellery.</p> <p>*Nursery school and kindergarten.</p> <p>*Off-street parking for passenger cars for uses permitted in the R-6 zone.</p> <p>*Day care facilities or home babysitting services not permitted as a home occupation.</p> <p>*Community Center.</p> <p>Residential: None</p>
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	<p>for each additional increment of fifteen (15) seats or major fraction thereof within the principal place of assembly for worship.</p> <p>*Fraternal organization: ten thousand (10,000) square feet.</p> <p>*Municipal use: forty-five hundred (4,500) square feet.</p> <p>*Hospital: two (2) acres.</p> <p>*All other uses: forty-five hundred (4,500) square feet.</p> <p>*Lodging house: four thousand five hundred (4,500) square feet.</p> <p>*Community Hall: None, provided that no existing lot housing a community hall may be reduced to less than four thousand five hundred (4,500) square feet.</p>	
<p><i>Minimum area per dwelling unit</i></p>	<p>One thousand (1,000) square feet per dwelling unit.</p> <p>In the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units.</p> <p>This requirement may be reduced by up to twenty (20) percent for a special needs independent living unit.</p>	
<p><i>Minimum rooming unit areas for lodging houses:</i></p>	<p>Two hundred (200) square feet of combined rooming unit and common area for each rooming unit. Each individual rooming unit shall be a minimum of eighty (80) square feet.</p>	
<p><i>Minimum land area per lodging house rooming unit:</i></p>	<p>Two hundred fifty (250) square feet.</p>	
<p><i>Minimum land area per intermediate care facility resident:</i></p>	<p>Eight thousand (8,000) square feet for the first thirty-five (35) residents, plus three</p>	

<p><i>Minimum street frontage:</i></p> <p><i>Minimum yard dimensions:</i></p>	<p>hundred fifty (350) square feet for each additional resident.</p> <p>Forty (40) feet.</p>	<p>Residential: None</p> <p>Residential: None, except that on lots or portions of lots which abut a lot under separate ownership with existing residential development, the side or rear setbacks of the R-6 zone shall apply in areas adjacent to such abutting residential lot. In no case, however, shall this provision require a setback such that the distance between the existing residential building and proposed new residential structure exceed the combined setbacks of the respective zones.</p>
<p>Front Yard:</p>	<p>Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structures shall occupy the minimum yard of another structure.</p> <p>Principal or accessory structures: Ten (10) feet.</p> <p>A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.</p>	
<p>Rear Yard:</p>	<p>*Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.</p>	

<p>Side Yard:</p>	<p>*Detached accessory structures with a ground coverage of one hundred (100) square feet or less: Five (5) feet.</p> <p>*Setbacks for swimming pools shall be as provided for in section 14-432.</p> <p>*Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet:</p> <table border="0"> <thead> <tr> <th><u>Ht. of Struct.</u></th> <th><u>Req. Side Yard</u></th> </tr> </thead> <tbody> <tr> <td>1 story.....</td> <td>10 feet</td> </tr> <tr> <td>2 stories.....</td> <td>10 feet</td> </tr> <tr> <td>3 stories.....</td> <td>10 feet</td> </tr> <tr> <td>4 stories.....</td> <td>12 feet</td> </tr> <tr> <td>5 stories.....</td> <td>15 feet</td> </tr> </tbody> </table> <p>The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. In the case of a lot of record existing as of June 5, 1957, and held under separate ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than ten (10) feet.</p> <p>*Detached accessory structures with ground coverage of one hundred (100) square feet or less: Five (5) feet.</p> <p>*Setbacks for swimming pools shall be as provided for in section 14-432.</p>	<u>Ht. of Struct.</u>	<u>Req. Side Yard</u>	1 story.....	10 feet	2 stories.....	10 feet	3 stories.....	10 feet	4 stories.....	12 feet	5 stories.....	15 feet	
<u>Ht. of Struct.</u>	<u>Req. Side Yard</u>													
1 story.....	10 feet													
2 stories.....	10 feet													
3 stories.....	10 feet													
4 stories.....	12 feet													
5 stories.....	15 feet													

Side yard on side streets:	Principal or accessory structure: Ten (10) feet.	
Maximum lot coverage:	Forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units; fifty (50) percent for lots which contain fewer than twenty (20) dwelling units.	Residential: 100%
Minimum lot width:	Fifty (50) feet.	
Maximum structure height:	<p>*Principal and attached accessory structure: Forty-five (45) feet.</p> <p>*Accessory detached structure: Eighteen (18) feet.</p>	Residential: Fifty (50) feet
Open space ratio:	<p>*Uses other than bed and breakfast. Twenty (20) percent for those lots which contain fewer than twenty (20) dwelling units; thirty (30) percent for those lots which contain twenty (20) or more dwelling units. This area shall not include parking area or other impervious surfaces.</p> <p>*Bed and Breakfasts. A bed and breakfast that is located on a lot that has at least twenty (20) percent open space on the date of filing of the application for site plan shall not reduce the open space on the lot below twenty (20) percent of the lot area. A bed and breakfast located on a lot that does not have at least twenty (20) percent open space on the date of filing of the application for site plan review, and that is legally nonconforming as to the open space requirement of this section, shall not reduce the open space on the lot below the level in existence on the date of the application for</p>	

<p>Below grade:</p> <p>Minimum gross floor area for bed and breakfasts:</p> <p>Maximum Residential Density:</p> <p><i>Parking:</i></p> <p><i>Habitable Floor area:</i></p> <p><i>Design Standards:</i></p>	<p>site plan review. Open space areas shall not include parking areas or other impervious surface area.</p> <p>Below-grade dwelling unit shall be permitted only if the primary access for the dwelling unit is provided directly to the outside of the building.</p> <p>Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.</p> <p>Residential: two parking spaces per dwelling unit, plus one parking space for every six dwelling units.</p>	<p>Seven hundred twenty five (725) square feet of land area per dwelling unit is required, except for development which are located within 500 feet, property line to property line, of a municipal park or playground, the density may be increased to four hundred thirty five (435) square feet of land area per dwelling unit for a portion of the lot which does not exceed the size of such municipal facility.</p> <p>Residential: one parking space for each dwelling unit.</p> <p>Residential: Must contain a minimum of four hundred (400) square feet of habitable floor area.</p> <p>Residential development shall be reviewed by the Planning under Site Plan. Such development shall also comply with the following development standards. The general intent of these</p>
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		<p>development standards is to achieve an attractive and comfortable city neighborhood environment. Varied and human-scaled building facades are key to making a place “pedestrian-oriented.” Building designs should provide a high level of visual interest, without creating a chaotic image. Residences should include design elements that enhance the streetscape and address the street.</p> <p>*Porches and bays should face the street.</p> <p>*Primary ground floor residential entries to multi-family buildings must orient to street, not to interior blocks or parking lots. Secondary and upper-floor entries from the interior of a block are acceptable. The front door to single-family homes, duplexes, and townhouses must be visible from the street.</p> <p>*The design approach shall provide an architecture that will be a visible and permanent express of the character of the neighborhood.</p> <p>*The façade shall be varied and articulated to provide visual interest to pedestrians.</p> <p>*Reinforce the public realm of the public open space, sidewalks and streets through appropriately scaled entries, porches, fenestration, landscaping, and architectural details.</p> <p>*Provide visual and acoustical privacy between units.</p> <p>*Maximize natural light and ventilation within units.</p>
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APPLICATION FOR ZONING AMENDMENT
City of Portland, Maine
Department of Planning and Development
Portland Planning Board

1. Applicant Information:

SHERIDAN STREET, LLC
Name
477 CONGRESS ST. 5TH FLOOR
Address
PORTLAND, ME 04101
207 523 3410 773 8597
Phone Fax

2. Subject Property:

135 SHERIDAN STREET
Address
PORTLAND, ME
13-K-2
Assessor's Reference (Chart-Block-Lot)

3. Property Owner: [X] Applicant [] Other

Name
SHERIDAN STREET, LLC
Address
477 CONGRESS ST. 5TH FLOOR
207 523 3410 773 8597
Phone Fax

4. Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

OWNER OF FEE SIMPLE ABSOLUTE

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

5. Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

6. Existing Use:

Describe the existing use of the subject property:

VACANT LOT WITH NO STRUCTURES

7. Current Zoning Designation(s):

8. Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

THE VACANT LOT WILL HAVE A 21 UNIT BUILDING THAT INCLUDES ONE LEVEL OF UNDERGROUND PARKING PLUS FOUR LEVELS OF STRUCTURE ABOVE.

9. Sketch Plan: On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100'.)

10. Proposed Zoning: Please check all that apply:

A. _____ Zoning Map Amendment, from _____ to _____

B. _____ Zoning Text Amendment to Section 14-_____

For Zoning Text Amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example), and language to be added is depicted with underline (example).

C. Conditional or Contract Zone

A conditional or contract rezoning may be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan and compatible with the surrounding neighborhood. (Please refer to Division 1.5, Sections 14-60 to 62)

11. **Application Fee:** An Application Fee must be submitted by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Workshop and Public Hearing Notices as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

 X Fee for Service Deposit (\$200.00)
(Required for all applications in addition to the applicable application fee listed below)

_____ Zoning Map Amendment \$2,000.00

_____ Zoning Text Amendment \$2,000.00

 X Contract/Conditional Rezoning
Under 5,000 sq. ft. \$1,000.00
5,000 sq. ft. and over \$3,000.00

Legal Advertisements percent of total bill

Notices .55 cents each
(receipt of application, workshop and public hearing)

NOTE: Legal notices placed in the newspaper for the public hearing meeting are required by State Statute and local ordinance. Applicants will be billed by the Planning Division.

12. **Signature:** The above information is true and accurate to the best of my knowledge.

 JUNE 13, 2006
Date of Filing

 [Signature]
Signature of Applicant

Further Information:

Please contact the Planning Division for further information regarding the rezoning process. Applicants are encouraged to make an appointment to discuss their rezoning requests before filing the application.

Applicants are encouraged to include a letter or narrative to accompany the rezoning application which can provide additional background or context information, and describe the proposed rezoning and reasons for the request in a manner that best suits the situation.

In the event of withdrawal of the zoning amendment application by the applicant in writing prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the City of Portland.

Portland Planning Board
Portland, Maine

Effective: July 6, 1998



City of Portland, Maine
Department of Planning and Development
Conditional/Contract Rezoning Application

Application ID: 961 **Application Date:** 06/15/2006 **CBL:** 013 K017001 **Property Location:** 121 and 135

Applicant Information:

Sheridan Street Llc
 Name

Business Name

477 Congress St 5th Floor
 Address

Portland, ME 04101
 City, State and Zip

Telephone _____ Fax _____

Applicant's Right, Title or Interest in Subject Property:

Owner of fee Swaple Absolute

Current Zoning Designation: R6

Existing Use of Property:

Vacant lot with no structures.

Proposed Use of Property:

The vacant lot will hve a 2 unit building that includes one level of underground parking plus four levels of structure above.

Property Owner:

Sheridan Street Llc
 Name

477 Congress St 5th Floor
 Address

Portland, ME 04101
 City, State and Zip

Telephone _____ Fax _____

Amendment A _____

Amendment B _____

Amendment C _____

Section 14: _____

Requested:

Planning Approval

REVIEW TYPE: Committee Review

RECOMMENDATION DATE: _____ **APPROVAL DATE:** _____ **ENACTMENT DATE:** _____

SHERIDAN STREET, LLC
477 Congress Street, 5th Floor
Portland, Maine 04101-3427
207 523 3410 Office
207 773 8597 Fax

June 12, 2006

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

RE: Sheridan Heights Condominiums
135 Sheridan Street, Portland, Maine

Dear Mr. Jaegerman and Board Members:

In response to the concerns of the City Council and neighbors in the community, we have decided to re-submit the application for Sheridan Heights and request that you review the project now as a Conditional R-7 Zone.

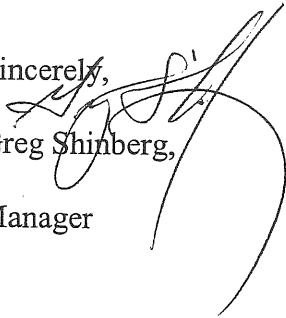
Some changes have been made to the project.

They are as follows:

- The number of units in the L shaped building will be limited to 21 Units total – thus the total number of units on the combined properties will be 22 total (down from 24);
- The existing house located at 121 Sheridan Street will remain a single family residence with no alterations other than for maintenance;
- The existing free standing garage located at 121 Sheridan Street will be removed and replaced with surface parking and access for the L shaped building;

- The plans for the new L shaped building will be included as an exhibit to the Conditional R-7 Zone;
- The new building will be less than 45 feet tall;
- The overall size of the building will be reduced and several of the units will be built smaller in size;
- Some of the units will be now have one bedroom;
- The sales price for several of the units will be reduced to below \$200,000;
- Access for future trails that connect to North Street will be provided for via a Memorandum of Understanding with Portland Trails and an Easement will be granted to the public for this access;
- A financial contribution will be made to the City for the construction of a future community garden (s) located nearby. The amount of contribution will be discussed at the June 14th CDC meeting;
- At the last Planning Board meeting, some of the members expressed that the neighborhood does not have this type of density. A careful research of all existing properties located within two blocks verifies that but for an R-7 Zone or the R-6 Small Lot Provisions, over 90 % of the properties would not be permitted in this area;

Sincerely,


Greg Shinberg,

Manager

SHERIDAN STREET, LLC
477 Congress Street, 5th Floor
Portland, Maine 04101-3427
207 523 3410 Office
207 773 8597 Fax

August 28, 2006

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

RE: Sheridan Heights Condominiums
135 Sheridan Street, Portland, Maine

Dear Mr. Jaegerman and Board Members:

We are pleased to present the Sheridan Heights project for your review and advisory vote to the City Council for the Conditional Zone. Since the last Planning Board meeting, we have worked with City Staff and listened to concerns of the neighbors to improve the plans and concept for the project.

The units vary in size and shape and projected sales prices. The building will create increased opportunities for compact in-city living for owners representing a variety of income levels and household types.

Sheridan Heights will provide much needed housing on the Portland peninsula in an urban area that is within walking distance of downtown, places of worship, places of work, stores, public transportation, schools, and other community facilities.

Careful consideration has been given to designing a building that is attractive, functional and energy efficient and one that utilizes authentic materials and one that compliments the existing single and multi-family residences as well as the larger structures close by.

We have attached a list of properties nearby compiled from information available at the City Assessors office that includes the location, number of units, lot size and whether that property meets the R-6 Density. Also we have included an aerial map showing the location and relative footprint of Sheridan Heights and the surrounding properties.

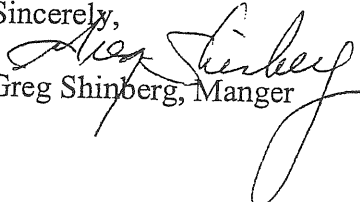
But for the R-6 Infill part of the Zoning Ordinance, over 90 % of the properties listed would not meet the requirements of the R-6 Zone.

Some of the key items to note are as follows:

1. The total number of units between the two parcels will be a maximum of 22; 21 units located at 135 Sheridan Street and the house located at 121 Sheridan Street will remain a single family residence;
2. 121 Sheridan Street will remain a single family house with two surface parking spaces;
3. Any future alterations to 121 Sheridan Street will meet the criteria of the current R-6 Zone;
4. 135 Sheridan Street will have 17 covered (inside the building) and 12 surface parking spaces for a total of 29 spaces for the 21 residences (a ratio of 1.38 parking spaces per unit);
5. 135 Sheridan Street will be a maximum of 45 feet tall as defined in the Zoning Ordinance;
6. A future easement across the land located at 135 Sheridan Street for a walking path will be granted to the City and Portland Trails for pedestrian access to the existing trails on North Street;
7. The payment of a monetary contribution to the City of Portland in the amount of \$23,000 (Twenty Three Thousand Dollars) to be allocated as follows: \$5,000 (Five Thousand Dollars) toward the implementation of the improvements at the Washington Avenue / Walnut Street intersection; \$18,000 (Eighteen Thousand Dollars) to be placed in an established Parks and Recreation fund to contribute to the cost of providing improvements such as trails, community gardens, park improvement, etc in the vicinity of the development;
8. The sales price of two of the twenty one units will not exceed a total cost of \$200,000 (Two Hundred Thousand Dollars).
9. The installation of a one inch water line with shut off valves to the two adjacent City owned parcels for the future community gardens that may be located next door; One parcel abuts the north property line on Sheridan Street; the other parcel abuts the south property line – this parcel also abuts the rear property line of the new eight unit condominium located at 117 Sheridan Street;

We look forward to working together to assure that Sheridan Heights will be a welcome addition to the community

Sincerely,


Greg Shinberg, Manger

SHERIDAN HEIGHTS

8/28/06

LOCATION	# OF UNITS	LOT SIZE (Square Feet)	EXCEEDS R6 DENSITY
80 North St	9	8599	X
84 North St	9	13200	
86 - 90 North St	4	14281	
96 North St	2	7882	
100 North St	1	8235	
104 North St	Vacant Lot	3539	X
106 North St	2	2954	X
110 North St	2	3520	X
72 Walnut St	Vacant Lot	3577	X
Portland Water District	Commercial	10921	
94 Walnut St	1	11242	
156 Sheridan St	Commercial	9856	
152 Sheridan St	Commercial	11930	
146 Sheridan St	Vacant Lot	463	X
7 Marion St	1	2030	X
17 Marion St	1	2656	X
19 Marion St	2	2263	X
58 North St	17	19860	
125 Sheridan St	1	5325	
54 North St	4	4950	X
48 North St	4	3600	X
44 North St	3	3600	X
42 North St	2	3200	X
38 North St	2	3200	X
34 North St	2	3200	X
32 North St	3	3200	X
109 Sheridan St	3	3000	X
106 Sheridan St	3	4496	X
103 Sheridan St	3	4859	
99 Sheridan St	2	4215	X
95 Sheridan St	1	4083	X
91 Sheridan St	1	724	X
89 Sheridan St	2	1554	X
57 Cumberland Ave	5	4992	X
53 Cumberland Ave	Vacant Lot	4143	X
Sumner Court	Vacant Lot	8122	
49 Cumberland Ave	2	2660	X
47 Cumberland Ave	1	2515	X
45 Cumberland Ave	1	2454	X
59 Washington Ave	Commercial	126,757	
10 Marion St	1	2580	X
142 Sheridan St	2	4295	X

LOCATION	# OF UNITS	LOT SIZE (Square Feet)	EXCEEDS R6 DENSITY
108 Cumberland Ave	1	1917	X
106 Cumberland Ave	4	2113	X
102 Cumberland Ave	3	2370	X
98 Cumberland Ave	3	3602	X
94 Cumberland Ave	4	3360	X
90 Cumberland Ave	Vacant Lot	3720	X
88 Cumberland Ave	4	3931	X
82 Cumberland Ave	1	3100	X
76 Cumberland Ave	2	2382	X
74 Cumberland Ave	3	2704	X
72 Cumberland Ave	4	3582	X
72 Sheridan St	2	1200	X
171 Congress St	3	2041	X
28 Willis St	1	1850	X
24 Willis St	1	1865	X
22 Willis St	1	1877	X
20 Willis St	2	1361	X
41 Montreal St	1	2500	X
42 Walnut St	1	3456	X
44 Walnut St	2	3456	X
46 Walnut St	1	6895	
54 Walnut St	1	3200	X
105 North St	3	3147	X
107 North St	2	2195	X
101 North St	5	8068	
45 Montreal St	1	3475	X
49 Montreal St	1	3440	X
55 Montreal St	1	3440	X
57 Montreal St	3	3440	X

LOCATION	# OF UNITS	LOT SIZE (Square Feet)	EXCEEDS R6 DENSITY
57 Romasco Lane	1	1928	X
55 Romasco Lane	1	1550	X
134 Sheridan Lane	2	6153	
51 Romasco Lane	1	1375	X
122 Sheridan St	Parking Lot	26,816	
120 Sheridan St	2	1472	X
116 Sheridan St	1	1862	X
112 Sheridan St	2	1783	X
110 Sheridan St	1	2693	X
106 Sheridan St	3	2598	X
19 Romasco Lane	1	1570	X
100 Sheridan St	2	2015	X
19 Romasco Lane	Vacant Lot	1903	X
15 Romasco Lane	Vacant Lot	2000	X
13 Romasco Lane	3	1893	X
11 Romasco Lane	1	1938	X
92 Sheridan St	1	3778	X
9 Romasco Lane	2	1867	X
5 Romasco Lane	Vacant Lot	1931	X
73 Cumberland Ave	2	2713	X
88 Sheridan St	2	2050	X
75 Cumberland Ave	1	1348	X
79 Cumberland Ave	2	1227	X
22 Romasco Lane	1	1630	X
20 Romasco Lane	Vacant Lot	1624	X
16 Romasco Lane	Vacant Lot	1636	X
12 Romasco Lane	2	1729	X
43 Washington Ave	Commercial	5985	
10 Romasco Lane	2	2080	X
6 Romasco Lane	2	1096	X
97 Cumberland Ave	1	5393	
87 Cumberland Ave	3	3955	X
85 Cumberland Ave	3	1985	X
4 Romasco Lane	1	475	X
30 Washington St	Commercial	17462	
93 Cumberland Ave	2	2230	X
93 Cumberland Ave	3	2448	X
43 Cumberland Ave	3	3980	X
39 Cumberland Ave	4	5640	
35 Cumberland Ave	3	4000	X
18 North St	3	4161	X
1 Sumner Court	6	4888	X

SHERIDAN STREET, LLC
477 Congress Street, 5th Floor
Portland, Maine 04101-3427
207 523 3410 Office
207 773 8597 Fax

Honorable Mayor James Cohen and
City of Portland City Council Members
389 Congress Street
Portland, Maine 04101

March 2, 2006

**RE: Sheridan Heights Condominiums
121 and 135 Sheridan Street, Portland, Maine**

Dear Mayor Cohen and Members of the City Council:

On Monday, March 6, we are scheduled for a vote on our request for the R-7 Zone for the Sheridan Heights project. We are pleased to present this project to the Council for its review.

In addition to having created an exceptionally attractive design, the project meets the goals and objectives established in the City's Comprehensive Plan.

The purpose of this letter is to address some concerns raised by the Portland Planning Board that this is an appropriate location for the R-7 Zone in regards to compatibility with the existing density of the neighboring properties.

Enclosed is a chart that clearly demonstrates that the majority of the properties located in the neighborhood within a 2 blocks radius of our location would require the R-7 Zone to be constructed today.

Over 90 per cent of the residential properties nearby do not meet the R-6 Zone requirements.

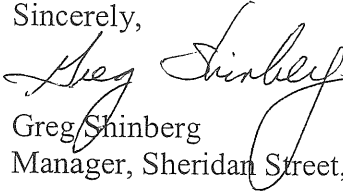
Under Section 14-141 the Purpose section states in part,

“Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside Plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist;...”

This chart does not take into account the setback, parking and lot coverage requirements stated in the R-6 Zoning Ordinance which would reduce even further the number of residential properties that could be built today. It is clear that most of the properties on Munjoy Hill do not meet the zoning requirements established under the guidelines of the R-6 Zone.

This project is precisely the type of project that should be built on the peninsula to create urban in fill housing in the Compact Urban Residential Overlay Zone.

Sincerely,



Greg Shinberg
Manager, Sheridan Street, LLC

LOCATION	# OF UNITS	LOT SIZE (Square Feet)	EXCEEDS R6 DENSITY
80 North St	9	8599	X
84 North St	9	13200	
86 - 90 North St	4	14281	
96 North St	2	7882	
100 North St	1	8235	
104 North St	Vacant Lot	3539	X
106 North St	2	2954	X
110 North St	2	3520	X
72 Walnut St	Vacant Lot	3577	X
Portland Water District	Commercial	10921	
94 Walnut St	1	11242	
156 Sheridan St	Commercial	9856	
152 Sheridan St	Commercial	11930	
146 Sheridan St	Vacant Lot	463	X
7 Marion St	1	2030	X
17 Marion St	1	2656	X
19 Marion St	2	2263	X
58 North St	17	19860	
125 Sheridan St	1	5325	
54 North St	4	4950	X
48 North St	4	3600	X
44 North St	3	3600	X
42 North St	2	3200	X
38 North St	2	3200	X
34 North St	2	3200	X
32 North St	3	3200	X
109 Sheridan St	3	3000	X
106 Sheridan St	3	4496	X
103 Sheridan St	3	4859	
99 Sheridan St	2	4215	X
95 Sheridan St	1	4083	X
91 Sheridan St	1	724	X
89 Sheridan St	2	1554	X
57 Cumberland Ave	5	4992	X
53 Cumberland Ave	Vacant Lot	4143	X
Sumner Court	Vacant Lot	8122	
49 Cumberland Ave	2	2660	X
47 Cumberland Ave	1	2515	X
45 Cumberland Ave	1	2454	X
59 Washington Ave	Commercial	126,757	
10 Marion St	1	2580	X
142 Sheridan St	2	4295	X

SHERIDAN HEIGHTS

LOCATION	# OF UNITS	LOT SIZE (Square Feet)	EXCEEDS R6 DENSITY
57 Romasco Lane	1	1928	X
55 Romasco Lane	1	1550	X
134 Sheridan Lane	2	6153	
51 Romasco Lane	1	1375	X
122 Sheridan St	Parking Lot	26,816	
120 Sheridan St	2	1472	X
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43 Washington Ave	Commercial	5985	
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97 Cumberland Ave	1	5393	
87 Cumberland Ave	3	3955	X
85 Cumberland Ave	3	1985	X
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30 Washington St	Commercial	17462	
93 Cumberland Ave	2	2230	X
93 Cumberland Ave	3	2448	X
43 Cumberland Ave	3	3980	X
39 Cumberland Ave	4	5640	
35 Cumberland Ave	3	4000	X
18 North St	3	4161	X
1 Sumner Court	6	4888	X

SHERIDAN HEIGHTS

From: Denise Clavette
To: Alex Jaegerman ; Jennifer Dorr; Penny Littell ; Sarah Hopkins
Date: 03/22/2006 12:15:56 PM
Subject: Re: Sheridan St. Conditional R-7

I would think that requiring a minimum of \$20K would be the best. This would accomodate the improvements, and then the fencing depending on the linear footage could run you \$10K or more.

Denise

>>> Alex Jaegerman 3/20/2006 10:20:34 AM >>>

Greg Shinberg will be presenting a revised application for conditional rezoning to R-7. At his City Council public hearing, Kevin Beal said he would be willing to hear this at a public hearing, no workshop. I'm not sure that is the best strategy, but am tempted to try it. Possible dates are April 25 or May 9. I think May 9.

The conditional rezone should reference the development plan, substantially in conformance with language. Also, some improvement to the slope leading up to Fort Sumner Park, or a contribution to a stairway or improved pathway. The amount would have to be determined. He has also offered to provide a water tap and pedestrian right of way to the community garden on the south side of the site. I think Regina Leonard has been discussing these items with Greg. If we need water at the other (northerly) side, we can request that.

Regina estimates \$5,000 for a gravel trail w/ steps up the embankment. Also \$4,000 for a trail head at Sumner Court. There is a nasty looking fenced in riprap section, that could be made nicer looking somehow. I think the fence is to prevent people from throwing/dislodging stones.

If we do a conditional rezone, we need to identify all that we want Greg to contribute to improving these conditions. I could use some Parks Dept. input quickly on this. With many conditional rezonings, a community contribution is required. I generally provide a ballpark on the value to shoot for. This is a 24 unit residential project. I am thinking somewhere between \$5,000 and \$10,000.

Alex.

Alex.

CC: Jeff Tarling ; Phillip Labbe; Regina Leonard; Tom Civiello

Kevin Beal, Chair
Planning Board
389 Congress St.
Portland, Maine 04101

Dear Chairman Beal and members of the Planning Board,

I am writing in regards to the proposed Sheridan Heights condominium development that is coming before your board.

From what I have witnessed of the process, the developer, Mr. Shinberg, has show considerable care and sensitivity to the concerns of local residents, and a genuine interest in the improvement of the Munjoy Hill neighborhood in which the Sheridan project rests.

Throughout the process of public meetings, including a site visit, I have seen that not only has Mr. Shinberg listened to the concerns of neighbors of the site, but has directly altered his project to accommodate many of these concerns. Some examples a reduction in the number of proposed units, the relocation of the parking entrance to create a building façade that better relates to the existing housing stock, and the elimination of a proposed 'covered alley' that many thought would be an unsafe place.

Mr. Shinberg has also shown an interest in working with the community to improve various local public spaces. An under-used public space, considered unsafe by many local residents sits behind his property. He has shown an interest in seeing that this space is a safer, more inviting place for public use. Additionally, he has meet with the Fort Allen Re-design Committee, which is working on a new master plan of improvements to the Fort Allen Park that sits just up the hill from his site, as well as with a representative of Portland Trails. He seems sincerely interested in working with local citizens groups for the improvement of the park, and strengthening pedestrian connections in our neighborhood.

I am concerned that Mr. Shinberg's project is once again another expensive condominium project. Munjoy Hill, and the City of Portland need housing that is within the price range of the diverse members of our local economy. This project does little to directly address the needs of existing residents, or to attract the families and workers that Portland needs to continue thriving as a city. I believe this is a problem beyond the scale of Mr. Shinberg's proposal. Indeed, in private conversation Mr. Shinberg has expressed his interest in building such housing in Portland. I ask members of the Planning Board, city staff, and members of the City Council to take steps that might encourage, or make more possible, the construction of such housing.

In closing, I believe Mr. Shinberg has played by the rules. He has been honest, has listened respectfully, and has responded to concerns in a sensitive, intelligent manner. I hope that his involvement in local development will be an asset to the community. I believe that in asking for code variances, he is taking some of the steps needed to building the denser housing needed to meet the needs of a growing city. I support his project and ask you to do the same.

Sincerely,


Markos Miller

17 Atlantic St.
Portland, Maine 04101

February 4, 2006

Kandice Talbot, Planner
Planning Division
City Hall, 4th Floor
389 Congress St.
Portland, ME 04101

Dear Ms. Talbot and Planning Board Members:

I am writing in regard to the proposed rezoning of the property located at 121 and 135 Sheridan Street from R-6 to R-7. This letter is in addition to the wide range of concerns that have already been voiced by the community.

I strongly urge the Planning Board to decline this zoning change proposal. This project does not reflect the intentions, or meet the specifications of the R-7 zoning.

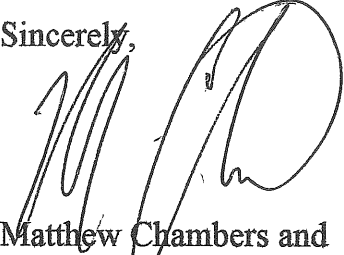
The R-7 zoning ordinance was printed in several places within the Planning Board Memorandum packet that you prepared. Within the lengthy description it states, "*The intent of this zone (R-7) is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.*"

Attached to this letter is a three-page real estate advertisement for the recently completed building at 117 Sheridan Street. The prices for these units range from \$319,900 - \$359,900. And those prices are before many of the necessary appliances and decorations have been installed (see page 3), so the actual costs would be even higher.

The proposed units at 121 and 135 Sheridan are remarkably similar in description to those at 117 Sheridan Street. The proposed units are described as 2 bedroom units with an average square footage of 1,300 square feet. The eight 2 bedroom units at 117 Sheridan St. are 1,150 – 1,175 square feet. Therefore, the real estate value of the proposed units, were they constructed, would be well over \$300,000.

Housing that costs over \$300,000 ***DOES NOT*** represent an increased opportunity for "*owners and renters representing a variety of income levels and household types.*" Quite simply, these will essentially be luxury units available only to a very specific type of income level and household type.

Sincerely,



Matthew Chambers and
Lesli Chambers
44 North St.
Portland, ME 04101

**Sumner Place Condominium
117 Sheridan St.
Portland**

MLS#s 766142 thru 766149



8 new condominium units

4 front to back "Flats"

1150 sqft. 2 bedrooms, 1 3/4 bathrooms, secure storage, parking for 2

\$319,900

4 top corners "Townhouse" Units

1175 sqft. 2 bedrooms, 1 1/2 bathrooms, gas fireplace, secure storage, parking for 2

\$339,900 - \$359,900

All available for occupancy by late February '06

**John Murton
Keller Williams Realty
553-2614**

Sumner Place Condominium

117 Sheridan St., Portland, ME 04101

Unit Specifications

2 Bedrooms

1 ½ Bathrooms in Town House; 1 ¾ Bathrooms in Flat

Wood frame construction, 2 x 6 exterior walls

R-19 min. insulation in walls, R 30 min in ceilings

½ and 5/8 finished drywall interior walls with "white" painted finish

Painted interior doors, jambs, casings and trim

Builders grade interior hardware, Schlage or equal, brass finish

Cherry Kitchen, Glenwood, Shaker half overlay panel doors, natural finish,

almond melamine interior construction, wood dovetailed drawers

Plastic laminate counter top. Granite counter top optional at additional cost

Gas fireplace Vermont Castings Majestic 36BVR/T in Town House Living Room

Maple Hardwood floors in Living Room, Dining Room, Kitchen and Hall

Vinyl Flooring in Bathrooms, Ceramic Tile optional at additional cost

Carpet in Bedrooms, Hardwood optional at additional cost

Hardwood stair treads and handrails in Town House

Kohler plumbing fixtures, K-2293 Pedestal bathroom sinks, K-3422 Toilet, K-

1585/1586 One Piece Bath and Shower Module

Grohe Classic 21-175 Bathroom Faucets

Grohe Tempra 4000 Shower/Tub Diverter/Volume Control, Shower Head and

Tub Spout

Elkay ELUH3118 Lustertone Double Bowl Stainless Steel Kitchen sink

Grohe Classic 31-771 Kitchen faucet

FHW gas heat 2 zones: LUNA 310Fi

Appliances included: Maytag MGR5751ADS gas 30" free standing Range – Stainless Steel

Maytag UMV1152BAS Over the Range Microwave/ Exhaust System - SS

Maytag MTF2193ARS 21 cuft Refrigerator - Stainless Steel

Maytag MDB4650AWS Dishwasher- Stainless Steel

InSinkerator Badger 5 garbage disposal

Frigidaire FEX831C Washer and Dryer- White (Flats)

Maytag MAH2400AWW, MAE2400AYW stacked Washer/Dryer (Town House)

Kitchen, Bathroom and Laundry fan assisted ventilation to the outside

Closet shelves and rods

Medicine Cabinet w/ mirror in full Bathroom

Bathroom Accessories: 2 towel bars, 1 tissue holder and curtain rod

100 amp Unit electrical service panel

Digital cable in convenient locations

Surface mounted light fixtures, convenience receptacles and switches per code.

Smoke detectors, hard wired w/ battery backup in bedrooms, living space and hallways

Secure remote entry access

Automatic fire suppression Sprinkler System

Deck/Porch natural Cambera wood

Secure basement storage

Landscaping: Trees, shrubs, flowering plants and grass

Parking: 2 designated spaces

Sumner Place Condominium
 117 Sheridan St., Portland, ME 04101

Allowances and Options*

Counter tops (plastic laminate)	\$ 1,650.00	
*Granite Counter Tops (Uba Tuba black/green/gold)	\$ 3,840.00	Add Option
Vinyl Bathroom Flooring	\$ 39.50 / sq.yrd.	
*Ceramic Tile in Bathrooms	\$ 12.15/ sqft	Add Option
Carpet in Bedrooms	\$ 20.00 / sq.yrd.	
*Maple Hardwood flooring in Bedrooms	\$ 9.30 / sqft	Add Option
Appliances		
Stove/oven: Maytag	\$ 480.00	
Refrigerator: Maytag	\$ 590.00	
Dishwasher: Maytag	\$ 360.00	
Microwave: Amana	\$ 210.00	
Washer/Dryer: Frigidaire (stacked) (Flats)	\$ 600.00	
Washer/Dryer: Maytag (stacked) (Town House)	\$ 925.00	
Electrical Fixtures: Surface mounted	\$ 550.00/ Unit	
Bathroom Accessories	\$ 265.00	Town House (1 ½ Bathrooms)
3 Towel Bars-Chrome: Jamestown Series,		
Franklin Brass		
2 Tissue Holders- Chrome: Jamestown		
Medicine Cabinet- White: Zenith M182		
Shower Curtain Rod- Chrome: Decor Bathware DH-177H-5'		
4 Towel Bars- Chrome: Jamestown Series	\$ 420.00	Flat (1 ¾ Bathrooms)
2 Tissue Holders- Chrome: Jamestown		
2 Medicine Cabinets- White: Zenith M182		
2 Shower Curtain Rods- Chrome: Décor Bathware		

June 27, 2006

To the Portland Planning Board

Dear Mr. Jaegerman:

We will not be able to attend the board's workshop on this application today. But for the elimination of modifications to 121 Sheridan Street, what the applicant presented at the community meeting a couple months ago appears to be the same building plan he presented in the previous workshops and public hearings conducted by the board. Our opinions in opposition to that plan, which should be in the board's record for this case, have not changed. Please advise us if those comments need to resubmitted for the revised application he presented to us that evening.

We would like the board to know that there were 12 or 13 residents at the community meeting on this application; no resident spoke in favor of it and all who did speak on it spoke in opposition to it. In particular, Annie Cowie asked the applicant to please consider the smallest building he could build and still make a reasonable profit. We all hope he took that suggestion to heart.

Another thing we respectfully ask the board to do today is to ask Urban Designer Carrie Marsh to provide it with the study she did that supports the finding in Planning Board Report #14-06, which states that she "reviewed the proposed elevations and believes that, as proposed, the building would be architecturally appropriate and compatible with the surrounding neighborhood."

But for the new 8-unit building on Sheridan Street, anyone who has looked around "the surrounding neighborhood," including North Street, Cumberland Avenue, and Walnut Street, will have seen nothing but one-, two- and three-family homes. The proposed building, which has a larger profile than the Shailer School, would dwarf any home in the surrounding neighborhood. Thus, we cannot understand by what possible stretch of the imagination Ms. Marsh was able to conclude that "the building would be architecturally appropriate and compatible with the surrounding neighborhood."¹

We thank the board for the opportunity to submit these comments.

Respectfully submitted,

Annie and James Cowie

32 North Street, Portland, Maine 04101

¹ If Ms. Marsh's study is available to the public, we would like to receive a copy, please.

June 27, 2006

Portland Planning Board
City Hall
Portland, Maine

Re: Application for Conditional Rezoning of 121 and 135 Sheridan St., Greg Shinberg,
Applicant

Dear Members of the Planning Board,

This letter is being submitted at the Workshop relating to the above-referenced project (the 'Project'), and is intended to become part of the public record of questions and issues submitted to the Planning Board (the "Board") regarding the Project.

We are abutters to the Project, residing at 117 Sheridan Street, Apt. 8. Our home is directly next to 121 Sheridan St., and looks out onto the property at 135 Sheridan St. As you know, the site of the future 135 Sheridan St. building is currently an undeveloped grassy field located directly behind 125 Sheridan St. (Jane Glass' house) and 121 Sheridan St, and is situated between two single-family homes and the hillside leading up to North Street, which is owned by the City of Portland and part of which is currently used as a public park.

As currently planned, Mr. Schinberg's proposal represents a significant departure from the current character of the neighborhood. We are concerned about the dramatic increase in the population density which the Project, which is three times larger than our building, would create in what is an otherwise quiet, urban neighborhood. We believe that the Project does not reflect the character of our neighborhood, will ultimately have a negative effect on the lives of the residents and the values of the surrounding homes because it is so inconsistent with the neighborhood, and will not produce the type of growth that is consistent with that on Munjoy Hill.

Out of concern for our neighborhood and our continued enjoyment and value of our home, we have the following questions or issues that we would like the Planning Board to consider:

1. In Mr. Shinberg's letter of June 12, 2006 to the Board, requesting conditional rezoning, he stated that "The existing house located at 121 Sheridan St. will remain a single family residence with no alterations other than for maintenance." We would suggest that, for the sake of certainty, the single family home and Mr. Shinberg's commitment not to alter the size or shape of that structure be included in the conditional rezoning. If Mr. Shinberg is pledging to not alter that home, he should have no objection to an explicit statement to that effect being made a part of the terms and conditions of the conditional rezoning. However, if Mr. Shinberg wishes to make changes to that home in the future, he should provide the Board with his plans now so that 121 Sheridan St. can be considered at the same time, as one project, with 135 Sheridan St.

- a. How binding is it to include Mr. Shinberg's statement in the conditional rezoning? In other words, if Mr. Shinberg is granted the conditional rezoning order as currently drafted by the City's Corporation Counsel (which in Section 2 includes the single family house "with no alteration other than for removal of the garage and the general maintenance of the house") will he be bound to not change the shape or size of the single family home in any way? Alternatively, if the reference to the single family home is deleted, as we understand from Alex Jaegerman's memo to the Board that Mr. Shinberg has requested, will he be bound by his statement in his letter to not change the shape or size of the single family home in any way?
 - b. If Mr. Shinberg is not required to commit to not altering the house, then what is the extent of the changes he'll be able to make to that house and lot under its current zoning, and what process will he have to follow? Will he have to come back to the Planning Board to change the size of the structure? In effect, how much can he change that structure, and how much more density will Mr. Shinberg be permitted to add to this community, without going through the Planning Board's process?
2. If Mr. Schinberg has considered both 121 and 135 Sheridan St. to be part of the same project in the past, why has he changed his position with his most recent plans? In Mr. Shinberg's past applications to this Board, he has considered 121 and 135 Sheridan St. to be a single plan, forming a horseshoe-shaped project surrounding Ms. Glass' house at 125 Sheridan St.. However, with this application for conditional rezoning, he has not included 121 Sheridan in the conditional rezoning.
- a. Every aspect of the two properties indicates that they should be considered as one proposal. First, Mr. Schinberg, as the owner and developer of both properties, considers the two properties to be contiguous parcels as evidenced by the fact that he is carving off part of 121 Sheridan St. and adding it to 135 Sheridan St. Second, the two properties abut each other, and but for this conditional zoning application he has always portrayed both parcels as part of the same development plan. Third, his ownership of both will not have changed, nor will he receive any less profits from the opportunity to develop them.
 - b. As Alex Jaegerman states in his June 22, 2006 memo to the Board, Mr. Shinberg has "reduced" the number of units from 24 to 21 simply by removing 121 Sheridan from the conditional zoning application. In fact, the number of units for 121 and 135 Sheridan has not been reduced - instead the total density remains the same. Mr. Shinberg has simply proposed removing 121 Sheridan from consideration of the plan. We are concerned that Mr. Schinberg has simply not committed to the ultimate density of the project. It is logical and appropriate to consider both properties together in order to see the final impact on the neighborhood, to have Mr. Schinberg commit to a number of units for the project (including the number of units he ultimately intends for what is currently 121 Sheridan), and to consider both 121 and 135 Sheridan as part of the same project.

3. What are the reasons that this Project, which calls for at least three times the number of units as 117 Sheridan St., should not be required to meet the requirements of the current R-6 zoning for the property? As you know, 117 Sheridan St. was built within its existing zoning - no rezoning or variance was sought. Why is Mr. Shinberg's project different than 117 Sheridan St.? We believe that any development should be appropriate and compatible with the neighborhood. In this case we believe the Project, as proposed, neither matches the scope and scale of housing currently on the street, nor does it fit the space allotted to it. Instead, it engulfs an abutting single family home (Jane Glass' home at 125 Sheridan St.) and will dominate the rest of the neighborhood. At a minimum, Mr. Shinberg's Proposal will have a significant negative effect on the value of Ms. Glass' home, and it may have a similar effect on the neighborhood as a whole.
4. Mr. Shinberg's plan allows an additional 32 vehicles in the community. The traffic study he submitted assumes that only 11-13 vehicles will be used for commuting to and from work. Even if that study is accurate, 11-13 additional cars would have a major negative impact on what is now a very quiet street filled with children and families walking their dogs. Traffic on Walnut Street has recently been diverted through Sheridan Street due to construction and we have noticed a significant increase in the number of cars, particularly in the morning. If the study is conservative, however, 15-20 additional vehicles would have a major impact on the street, and that is only half the number of parking spaces the plans would allow.
5. The Landscape Plan for the two properties shows a "Proposed Carport Roofline" abutting what appears to be either the backyard of our building at 117 Sheridan St., or the small City park that sits behind our backyard. Yet the Carport structure does not appear on any other rendering. What exactly would that structure look like?
6. Mr. Shinberg's plans eliminate any open space in the neighborhood, except for the small City park adjacent to our backyard at 117 Sheridan St, through which there is an easement which allows people access to the hillside park behind our home. Assuming that at least some of the 24 units will have pets, would the small park be the only open space available within the area to walk dogs? If only a third of the units had a dog, the potential morning and evening disturbance to the residents of 117 Sheridan St. by 8 dogs (not considering other neighborhood dogs) would be substantial. Note also that the proposed carport would serve as a buffer for any disturbance to Mr. Shinberg's building. We understand that an improved park is proposed on North Street, but we are not optimistic that residents of 135 Sheridan Street will climb the hill instead of simply using the park behind our backyard. A similar concern is raised about space for families with young children.

Thank you for your consideration of our questions and issues.

Sincerely,



Sarah B. Coburn
Brendan O'Neil

**Traffic Impact Study
Sheridan Heights
Portland, Maine**

Prepared for:

**Sheridan Street, LLC
c/o Shinberg Consulting
477 Congress Street, 5th floor
Portland, ME 04101-3427**

January 2006

Prepared by:



Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

PO Box 1237
15 Shaker Road
Gray, ME 04039



1-10-06

(207) 657-6910
Fax: (207) 657-6912
E-mail: mailbox@gorrillpalmer.com

**Traffic Impact Study
Sheridan Heights
Portland, Maine**

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Appendix A

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Executive Summary

The following Executive Summary is prepared for the reader's convenience, but is not intended to be a substitute for reading the full report.

Gorrill-Palmer Consulting Engineers, Inc. was retained by Sheridan Street, LLC to prepare this traffic impact study for the proposed residential development on Sheridan Street in Portland, Maine. The site is located on the north side of Sheridan Street between Walnut Street and Cumberland Street. The proposal involves construction of 24 condominium units on the site. For the purposes of this study, the full buildout of the site is assumed to be complete in 2007. A single driveway from Sheridan Street is proposed to access the site. Based on this study, our office has determined the following:

1. The proposed development is forecast to generate 11 trip ends in the weekday AM peak hour and 13 trip ends in the weekday PM peak hour. (Note: A trip end is either a trip in or out of the site. Thus a round trip would equal two trip ends). This level of trip generation does not require a traffic permit from the Maine Department of Transportation.
2. The level of service analyses show that traffic generated by the project does not affect operations at study area intersections.
3. Gorrill-Palmer Consulting Engineers, Inc. referenced the Maine DOT collision records to determine if there were any high crash locations in the project vicinity. No high crash locations were found in the vicinity of the project site.

It is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the local roadway network can accommodate the additional traffic generated by the full buildout of Sheridan Heights.

I. *Existing and Proposed Site*

The site is located on the north side of Sheridan Street, between Walnut Street and Cumberland Avenue, and is currently a three-unit residential building. A site location map has been included in Appendix A.

Proposed for the site are 24 condominium units. For the purposes of this study the full buildout of the site is assumed to be complete in 2007. Access to the site will be from a single driveway off of Sheridan Street. A plan of the proposed site is enclosed in Appendix C.

II. *Background Traffic Conditions*

Gorrill-Palmer Consulting Engineers, Inc. based the study on the following information:

- A site plan prepared by SGC Engineering, LLC dated November 28, 2005.
- Crash data for 2002-2004 provided by the Maine Department of Transportation.
- Turning movement volumes collected on January 4 and 6, 2006 from 3:00 PM to 6:00 PM at the following locations:
 - Sheridan Street at Walnut Street
 - Sheridan Street at Cumberland Avenue

Predevelopment Traffic Volumes

Seasonal Adjustment

The Maine DOT utilizes highway classifications of I, II, or III for state and local roadways. Type I roadways are defined as urban roadways, or those roads that typically see commuter traffic and experience little fluctuation from week to week throughout the year. Type II roadways, or arterial roadways are those that see a combination of commuter and recreational traffic and therefore experience moderate fluctuations during the year. Type III roadways, or recreational roadways are typically used for recreational purposes and experience dramatic seasonal fluctuation.

The study area roadways are considered Type I roadways by MaineDOT. Typically, volumes during the year are adjusted to reflect the 30th highest hour (typically occurring in July or August) of traffic volumes in accordance with MaineDOT guidelines. The traffic volumes were adjusted by 21 percent. Given the urban and residential nature of the study area roadways, it is the opinion of our office that this adjustment is conservative.

Annual Growth

The proposed project is anticipated to be fully operational by 2007. Based on MaineDOT counts, traffic volumes in the vicinity of the project are currently decreasing. Gorrill-Palmer Consulting Engineers, Inc. increased the volumes in the study area by one percent per year to be conservative, which is consistent with prior studies in the area.

Other Development

Approved projects that are not yet opened, as well as projects for which applications have been filed, are required to be included in the predevelopment volumes for this project. In order to determine whether any other projects in the area have been approved, or are ahead in the approval process, whose traffic should be considered as background traffic in the study for this project, our office contacted Mr. Bill Needelman with the City of Portland Planning Department. Although the new Jack Elementary School is currently under construction, it will not have an effect on the design hour volumes.

III. *Trip Generation*

Gorrill-Palmer Consulting Engineers, Inc. utilized the following sources of information to determine trip generation for the site:

The Institute of Transportation Engineers (ITE) publication *Trip Generation*, 7th Edition

Our office compiled the trip generation for the site based on ITE Land Use Codes 220 and 230, Apartment and Residential Condominium/Townhouse, respectively. Based on this information the proposed site is anticipated to generate the following trips:

Trip Generation Based on ITE for Sheridan Heights

Land Use Code	AM Peak Hour	PM Peak Hour
LUC 230 (Condominium)	16	19
Credit LUC 220 (Apartment)	-2	-2
Net Trips	14	17

Trip Generation Adjustment via U.S. Census Data

ITE trip rates are based on surveys of predominantly suburban locations. For a residential project located in downtown Portland, the rate of vehicle use for peak hour trips (typically journey-to-work trips) are lower than the State of Maine as a whole. Therefore, our office utilized journey-to-work information from the U.S. Census. The rate of private vehicle usage for residents of the Portland Peninsula was compared to the state overall:

Drive to Work Rate for Maine Residents: 90%
Drive to Work Rate for Portland Peninsula Residents: 69%

Therefore, our office utilized a reduction factor of $(0.69/0.90) = 0.77$ for the trip generation of the site, resulting in the following:

	AM Peak Hour	PM Peak Hour
Total	11	13

Supporting data for both the trip generation as well as the adjustments based on Census data are enclosed in Appendix C with this report.

IV. *Trip Distribution*

Gorrill-Palmer Consulting Engineers, Inc. has obtained the ratio of entering and exiting traffic from the Institute of Transportation Engineers publication *Trip Generation*, 7th Edition for Land Use Code 230, Residential Condominium/Townhouse, rounding them to the nearest five percent as follows:

AM peak hour:	15% entering, 85% exiting
PM peak hour:	65% entering, 35% exiting

V. *Trip Composition*

For the proposed Sheridan Heights, Gorrill-Palmer Consulting Engineers, Inc. has based the trip assignment on 100% of trips being primary, made for the sole purpose of going to and from the development.

VI. *Trip Assignment*

Trip assignment was based on existing traffic patterns at the study area intersections, the resulting trip distribution and assignment is shown in Figures 4 and 5 of Appendix A.

VII. *2007 Postdevelopment Traffic*

The anticipated year 2007 predevelopment traffic shown in Figure 3 of Appendix A has been combined with the traffic forecast for the development shown in Figure 5 of Appendix A to yield the 2007 postdevelopment traffic shown in Figure 6 of Appendix A for the PM peak hour.

VIII. *Study Area*

The study area includes the following intersections:

- Sheridan Street at Walnut Street
- Sheridan Street at Cumberland Avenue

IX. Capacity Analyses

Gorrill-Palmer Consulting Engineers, Inc. completed capacity analyses for the intersections listed in Section VIII.

The analysis was completed with HCS2000 analysis software, with outputs based on the HCS methodology. Levels of service rankings are similar to the academic ranking system where an 'A' is very good with little control delay and an 'F' represents very poor conditions. A level of service 'D' and higher is desirable for a signalized intersection. At an unsignalized intersection, if the level of service falls below a 'D', an evaluation should be made to determine if a traffic signal is warranted.

The following tables summarize the relationship between control delay and level of service:

Level of Service Criteria for Signalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Up to 10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	Greater than 80.0

Level of Service Criteria for Unsignalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The results of the capacity analyses are summarized as follows. The detailed analyses are included in Appendix B.

Level of Service for Walnut Street at Sheridan Street

Lane Group	2007 PM Peak Hour			
	Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS
Walnut Street EB LTR	<1	A	<1	A
Walnut Street WB LTR	8	A	8	A
Sheridan Street NB LTR	10	A	1	A

Level of Service for Cumberland Avenue at Sheridan Street

Lane Group	2007 PM Peak Hour			
	Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS
Cumberland Avenue EB LTR	7	A	7	A
Cumberland Avenue WB LTR	8	A	8	A
Walnut Street WB LTR	11	B	11	B
Sheridan Street NB LTR	10	A	10	A

Level of Service for Sheridan Street at Site Drive

Lane Group	2007 PM Peak Hour			
	Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS
Site Drive EB LTR	-	-	9	A
Sheridan Street NB LTR	<1	A	<1	A
Sheridan Street SB LTR	<1	A	7	A

Based on the above tables, these intersections operate acceptably for both predevelopment and postdevelopment scenarios. Addition of site-generated traffic does not affect the level of service at these locations.

X. *Sight Distance Evaluation*

The Maine Department of Transportation has guidelines for sight distances at driveways within urban compacts. The sight line standards for driveways in an urban compact are as follows:

Maine DOT Standards for Sight Distance

Posted Speed (mph)	Sight Distance
25	200
30	250
35	305
40	360
45	425
50	495
55	570

Gorrill-Palmer Consulting Engineers, Inc. has evaluated the available sight lines at the proposed Sheridan Heights driveway on Sheridan Street in accordance with Maine DOT standards.

The Maine DOT standards are as follows:

Driveway observation point:	10 feet off major street travelway
Height of eye at driveway:	3 ½ feet above ground
Height of approaching vehicle:	4 ¼ feet above road surface

The posted speed on Sheridan Street in the vicinity of the site driveways is 25 mph.

Based on the site review, sight distances looking to the left and right from the driveway will exceed 200 feet. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed three feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

XI. *Crash Data*

In order to evaluate whether a location has a crash problem, Maine DOT uses two criteria to define High Crash Locations (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual accident rate to the rate for similar intersections in the State. A CRF of less than 1.00 indicates a rate less than average) and:
2. A minimum of 8 crashes over a three-year period.

Our office reviewed the 2002-2004 crash data and found there were no high crash locations in the vicinity of the project site.