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June 10, 2015

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City of Portland Planning and Urban Development Department
Planning Division
Fourth Floor, City Hall
389 Congress Street
Portland, ME 04101

147 Congress Street
Level 1 Site Plan Review
Congress 127 Apartments, LLC
CBL 013 L019 001

Dear Barbara,

On behalf of Congress 127 Apartments LLC, we have prepared the enclosed Level I Site Alteration Application and supporting plans for the applicant's property located at 147 Congress Street.

This property is located on Map 13 Block L Lot 19. This lot is approximately 5,890 sf (0.135 acres) in size and includes a 2-story brick residence, with a gravel parking area on the westerly side of the property. The City Assessor's database indicates that this house was built in 1857. The majority of the site is in the R-6 Residential District, but, as shown on the Site Plan, the northeasterly corner of the site (roughly where the house is located) is in the B-1 District. This site is not within a mapped Historic District, but in late 2014, the site was identified as an Individual Historic Landmark.

As we have previously discussed, the applicants are seeking approval to remove an existing gravel parking area that is adjacent to Congress Street and to construct a total of 5 parking spaces to the rear of the property. Parking is proposed to accommodate the existing residence on the parcel (2 spaces) and to provide 3 additional spaces for the private use of three nearby residential condominiums.

As part of the proposed site improvements, a dilapidated two-story wooden addition off the rear of the building (which included a porch and stairs) will be torn down. An old shed will also be torn down and the area will be converted to greenspace. A new patio and steps are also proposed, along with additional site landscaping.

Existing Site Conditions

This approximately 5,890 sf (0.135 acres) property includes a 2-story brick residence, with an approximately 18' wide by 28' long gravel parking area to the side of the house. This existing parking area is located immediately off Congress Street and partially overlaps onto a portion of the adjacent property.

This area currently provides a head-on parking area that is at least two vehicles wide and sometimes two-deep, thus providing 4 possible parking spaces immediately to the side of the house. Based on a review of prior site photos and aerial photos, it appears that sometimes vehicles have even parked three-wide in this area.

Vehicles park in front of an existing approximately 6' tall wooden fence that extends between the house and the abutting property. The rear of the site includes a wooden porch and stairway area that were added on to the original brick residence when it was used as a rooming house. This wooden addition and a free standing shed are in very poor condition and will be torn down as part of the project.

Hardscape features in the yard include a concrete sidewalk that runs along the side and rear of the house. In addition, a stone and rubble wall extends along the area of the porch and stair addition and is approximately 12" to 15" high. A large brick wall extends across the entire rear property line. This brick wall is in relatively good condition and will remain. This brick wall was identified by the HPB as a key site element, in addition to the existing brick house.

Site photos also show the limited vegetation that is remaining in the rear of the site. The majority of the ground cover in the rear yard is hard packed exposed soil and loose rocks. A row of tall evergreens is located immediately to the rear of the fence described above. One mature evergreen tree is located in the northwesterly corner of the site, against the front of the large brick wall. A couple of smaller deciduous trees are located near the house. These two trees are relatively small in caliper (approximately 1" to 2") and appear to have been planted within the past few years.

Background/Other Approvals

As noted, this site is not within a mapped Historic District, but in 2014, the site itself was identified as an Individual Historic Landmark. As you know, the Applicant's proposed site improvements at 147 Congress Street were presented to the Historic Preservation Board (HPB) earlier this year. After a series of meetings and detailed evaluation of a variety of alternatives, on March 18, 2015 the HPB issued a Certificate of Appropriateness for the layout shown on the enclosed plans.

As we have discussed, the project also must obtain a Conditional Use Approval from the Zoning Board of Appeals (ZBA), in addition to the Level 1 Site Plan approval through the Planning Staff. The ZBA application has been filed, and is scheduled to be considered at the June 18, 2015 ZBA meeting.

Proposed Level 1 Site Plan - Overview

The Applicant's plan proposes the elimination of the highly visible parking immediately off Congress Street (to the side of the house) and provides a total of five spaces at the rear of the property. This layout provides parking for the existing house and accommodates private parking for the nearby residential condominium units on the corner of Congress and North Street that currently do not have off-street parking.

The applicant's original proposal included six spaces at the rear of the site. This reduction in the number of proposed parking spaces down to five was made in direct response to comments received as a result of the HPB review and approval process and reflects a significant change on the part of the applicant's overall program.

Specifically, the existing approximately 18' by 28' gravel parking area will be converted to an approximately 10' wide driveway (constructed of brick pavers) with new lawn and landscaping areas flanking each side. This eliminates the parking that overlapped onto the adjacent property and adds new greenspace to the area adjacent to Congress Street (at the side of the residence). The relocation of the parking to a less prominent spot at the rear of the property will soften the view from Congress Street and will provide better definition of the access into the property. The use of brick pavers will tie into the existing brick sidewalk along the site frontage and will coordinate with the brick structure itself.

The dilapidated wooden addition (the enclosed porch, decks and stairs) that had been constructed when the building had been used as a rooming house will be torn down. The rear windows of the brick residence (that had been converted to doorways to provide access the wooden addition) will be restored to be compatible with the original windows along the rear of the residence. The shed, which is in extremely poor condition, will be torn down and that area will be converted to greenspace. A new patio and steps are also proposed.

At the rear of the site, a total of five parking spaces are proposed in an “L” configuration. This area will be paved, and will tie into the proposed brick paver driveway. In order to maintain the residential setting, the applicant proposes to not stripe individual spaces but rather to identify the locations by more pedestrian scale amenities including small decorative bollards to delineate the limits of each space.

Two spaces are proposed at the rear of house, in the vicinity of the old rubble retaining wall and porch area described above. The existing residence will use these spaces. The new rear stairs and patio area will be constructed adjacent to this area.

In addition, three parking spaces are proposed facing the brick wall along the back property line. These three spaces are allocated to the individual homeowners within the three-unit Condominium located nearby (at the corner of Congress Street and North Street).

It is important to note that all parking proposed as part of this plan is, and shall remain, private and for residential purposes only. There will be no public parking allowed and no parking will be allowed for customers or employees of the store located at the corner.

The legal right to use these specific spaces is addressed by the establishment of easements for the individual owners of the Condominium Units. Easement documents have been prepared and approved by the HPB which identify that the Condominium is responsible for the maintenance of the entire parking area including winter maintenance, and maintenance of the two spaces for the existing residence. Any damages that occur as a result of the Condominium’s use and maintenance of this area must be rectified by the Condominium. The homeowner shall maintain the landscaping on the remainder of the site.

Each space was originally sized at 9' wide by 18' long, based on standard stall sizing in Portland's Technical Standards. As part of the review of the series of site alternatives evaluated during the HPB process, it was noted by the City staff that parking dimensions could be reduced, given the setting and the fact that the site is an Individual Historic Landmark.

Provisions for reduction in overall impervious areas to increase greenspace around the site improvements and provide additional buffering of the house and the brick wall along the rear of the site were key elements in the HPB's consideration of the project.

As a result, the dimensions for the parking spaces shown on the plan were modified to 8' wide by 15' long, which is the dimension for a compact parking space noted in the Technical Standards. This layout consolidates the parking and maneuvering area to the extent practicable, thus providing for a larger greenspace area to the rear of the house and a larger block of greenspace in the northeasterly corner of the site.

Please consider this letter as a formal request for a waiver (if necessary) of the Technical Standards regarding parking stall dimensions, to allow the five compact size spaces on the site, in lieu of full size spaces, as required by the HPB review process. This waiver request is being made, based on the fact that the site is an Individual Historic Landmark, and staff and the HPB have requested that the reductions be made to provide additional buffering of the historic elements of the site. As noted, these five spaces are all private and solely for residential use.

Landscaping Plan

A landscape plan has been prepared for the site by the project's Landscape Architect, Anthony Muench. Plantings are proposed along each side of the brick paver driveway that will be constructed from Congress Street to the rear parking area. These plantings (junipers, hydrangeas, viburnum and perennials) will help to enhance the view of the home and the adjacent property as seen from Congress Street.

The new plantings also define the driveway limits and access to the rear of the site. In addition, the new plantings will provide a degree of separation between the driveway and sidewalk along the side of the residence, as well as some buffering of the adjacent property.

A new, generally crescent shaped, greenspace has been added immediately behind the building, in the vicinity of the existing angled sidewalk to the rear of the site. This new greenspace area encompasses the two existing deciduous trees that remain on the site. The two existing trees will be accented by additional plantings in this area. It is envisioned that low growth plantings in the proposed island area, coupled with the preservation of two of the existing cedars (in the location of the existing fence) will offer buffering of the majority of the parking spaces at the rear of the site.

The installation of low growth plantings softens the view of the rear of the site and allows a view of the upper portions of the existing wall at the rear of the property. Efforts to maintain the view of the historic brick wall from Congress Street were the subject of much discussion during the HPB review process.

The three proposed parking spaces that face the existing brick wall are set approximately 5.5' (min.) from the wall and allow for a continuous greenspace corridor along the rear of the site. The existing evergreen in the northwest corner of the site is proposed to remain.

As was recommended by the HPB, a new tree is proposed at the "L" point of the parking area. This tree forms a focal point as you enter the site and will accentuate the view of the existing brick wall as seen from Congress Street. The block of greenspace in the northerly corner (in the area of the old addition and shed) provides a sizeable area for the homeowner's use as a garden or other outdoor living activities.

Mr. Muench has selected proposed plantings based on their hardiness for the setting, as well as their compatibility with the types of plantings that would likely have been installed during the era when the house was originally built.

Grading and Drainage

The existing site features (i.e. the brick house, the gravel parking area, the sidewalk to the rear of the site, the wooden porch and stair addition, and the shed) equate to approximately 2,547 sf of existing impervious area. With the proposed site improvements, including removal of the gravel parking, and demolition of the porch and shed, the total impervious area on the site will be approximately 3,253 sf, which is only approximately 706 sf greater than the current impervious area on the site.

The site currently drains in a general southerly to southeasterly direction from the rear of the property toward Congress Street. Runoff sheet flows from the rear of the site, over the existing gravel parking area and onto Congress Street and the gutter line via the existing curb cut. There are no existing catch basins or stormdrains within the site.

As the enclosed Site and Grading Plan shows, the proposed grading design reflects the overall site drainage pattern that currently exists on the parcel. The site has been designed to match existing grades in the vicinity of the existing brick wall at the rear of the site and around the perimeter of the property, particularly adjacent to the rear yard of the abutting building. The design intent is that no new runoff will enter adjacent properties.

The new paved parking area has been designed to generally drain inward and then to disperse along the edges of the brick paver driveway to the landscaped islands that flank the driveway. Runoff will then flow toward Congress Street, similar to the current drainage pattern. No new drainage structures are proposed. Given the limited increase in overall impervious area, no additional drainage elements are proposed.

Erosion and Sediment Control

The enclosed Detail Sheet includes an Erosion and Sediment Control Plan with instructions for the contractor to provide measures to protect downgradient areas. Given the size and scope of this project, all Erosion and Sediment Control notes are shown directly on the Detail Sheet, with no separate narrative.

Perimeter erosion control measures will be installed to protect the surrounding areas during the construction of the proposed site improvements. As the enclosed Plans demonstrate, silt fence is proposed along the westerly sideline of the site, in areas where the site is above the abutting property. As the side slopes down toward Congress Street, the parcel actually becomes lower than the adjacent property, thus silt fence is not necessary in this area. A detail for proper silt fence installation is shown on the enclosed Detail Sheet, along with details for the pavement section and instructions on pavement saw cut joints. City details for the installation of a brick driveway apron are also shown on the enclosed Detail Sheet.

Summary of Site Design Attributes

The attributes to this design include:

- the removal of the highly visible parking from the frontage of the site
- the addition of new landscaping and greenspace to the side of the residence
- conversion of an existing expanse of gravel to a defined brick paver driveway
- the reduction in the potential for vehicles backing into Congress Street
- a reduction in demand for on-street parking in the Munjoy Hill neighborhood
- the removal of a non-historic wooden addition and shed in poor condition
- proposed site grades generally reflect current drainage patterns

Site Plan Standards for Review of Level I: Site Alteration

In accordance with the review process for Level I: Site alteration plans, the following section 14-526 site plan standards (in *italics* below) apply, as appropriate. Our responses follow each item:

(a) Transportation standards:

1. Impact on surrounding street systems,

The existing home on the property had once been a multi-tenant building, which is being converted to a single residence. The Applicants are proposing to relocate existing parking at the Congress Street frontage to the rear of their property, and to add private spaces to accommodate a nearby existing residential condominium that currently has no off-street parking. No new residential units are proposed.

This provision of additional off-street parking is expected to reduce the burdens on the surrounding street systems and afford an overall benefit to the neighbors and residents in the Munjoy Hill neighborhood who compete for available parking on the street.

2. Access and circulation, and

It is expected that the elimination of the gravel parking area at the edge of Congress Street and the creation of a defined area at the rear of the site will reduce the potential for vehicles backing onto Congress Street.

This plan also controls the site's point of access to a single 10' wide driveway (made of brick pavers) which will coordinate with the existing brick building and sidewalks. The existing sidewalk to the rear of the residence will be maintained and will be better defined with the integration of landscaping islands. Stepping stones provide connectivity to the parking spaces at the rear of the site.

4. Parking

As noted above, the applicants are proposing to relocate the existing parking from the edge of Congress Street to the rear of their property. The existing gravel pad area will be converted to a driveway (with brick pavers) flanked by landscaped areas. A new bituminous parking area at the rear of the site will provide two spaces for the residence on the lot, and an additional three spaces for the existing nearby residential condominiums at the corner of Congress and North Street (that currently have no off-street parking). It is expected that the proposed relocation of the parking on the site to the rear of the property, coupled with the conversion of the home to a single residence, and the accommodation of parking for the nearby condominiums (which have no parking now) will help to address parking in the area and alleviate the competition for on-street parking in the project vicinity.

(b) Environmental quality standards

1. Preservation of significant natural features,

There are no known significant natural features on the site. However, there are manmade structures that are of particular importance as part of the designation of the site as an Individual Historic Landmark. The preservation, protection and enhancement of the existing brick residence and the brick wall along the entire rear property line have been reviewed in detail as part of the HPB's issuance of a Certificate of Appropriateness for this project.

The prior landowners removed a significant amount of the existing landscaping when they sold the property to the applicant. The majority of the rear of the property is hard packed earth and rubble. There is an existing tree along the Congress Street frontage and an evergreen tree immediately in front of the existing brick wall that will remain. Two small deciduous trees near the rear of the residence will also be preserved and integrated into a new landscaping plan as described below.

2. *Landscaping and landscape preservation, and*

The existing landscaping along the Congress Street frontage will remain and will be maintained. Additional landscaping will be added along the side of the residence, in the area that is now a gravel parking pad. As noted above, there is limited existing landscaping that remains within the proposed work area. The project has been designed to retain two deciduous trees near the rear of the residence, and two of the existing evergreen trees located behind the fence on the site. The existing evergreen tree that is immediately in front of the existing brick wall at the rear of the site will also remain. The applicant's Landscape Architect, Anthony Muench, has prepared the enclosed Landscape Plan which addresses the proposed plantings identified to provide screening and buffering and to augment the existing landscaping to remain.

3. *Water quality, stormwater management and erosion control.*

As discussed above, the proposed new impervious area equates to approximately 706 sf. Given the limited extent of new impervious area, it is not anticipated that the proposed site improvements will have a significant adverse impact on water quality or the peak rate of stormwater runoff in the overall area. The enclosed Site Grading Plan includes details and contractor instructions to address Erosion and Sediment Control during construction.

(c) *Public infrastructure and community safety standards.*

1. *Consistency with city master plans.*

Given the limited nature of the proposed site design improvements, and no proposed changes in site use (i.e. residential), this work would be considered consistent with the City master plan.

(d) *Site design standards*

5. *Historic resources,*

This site is not within a mapped Historic District, but in 2014, the site itself was identified as an Individual Historic Landmark. As you know, this project has been reviewed in detail by the HPB, and the proposed Plan was issued a Certificate of Appropriateness by the HPB on March 18, 2015.

6. Exterior lighting,

No exterior lighting changes are proposed. Residential scale building-mounted lighting fixtures will provide lighting for this area.

8. Signage and wayfinding, and

The proposed site improvements will not require any new signage. Each parking space will be assigned to a specific unit ownership and will be included as an exhibit to the individual deeds. In order to maintain the residential nature of the project, parking spaces will not be striped, but will be identified on the site with small decorative bollards.

9. Zoning related design standards.

As noted in Portland's Land Use Ordinance, since this site is associated with a historic landmark, the City's historic preservation standards supersede the Ordinance criteria for this District. As noted, the HPB granted a Certificate of Appropriateness for the proposed site improvements on March 18, 2015. As noted in the City of Portland Design Manual, any proposal that is required to obtain a Certificate of Appropriateness under the City's Historic Preservation Ordinance is exempt from the R-6 design review standards.

As the above narrative demonstrates, we are confident that the proposed site improvements can be considered consistent with the standards for Level I Site Alterations.

Application Materials

In addition to this cover letter, we have included the following items in support of this Level I: Site Alteration Application:

- Level I: Site Alteration Application
- Copy of Deed
- Boundary Survey by Owen Haskell Inc.
- Site and Grading Plan by St.Clair Associates
- Detail Sheet by St.Clair Associates
- Landscaping Plan by Anthony Muench

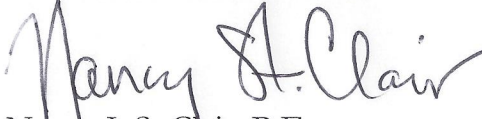
Closure

We look forward to working with you and other staff members in the City, to complete the local review process. It is our understanding from our recent conversation with you, that you do not anticipate the need for us to meet with staff to review this application package. Please let us know if you or any staff members have any questions, and if a need arises to meet to review the materials in person, we are available at your earliest convenience.

In the interim, please contact me if you have any questions, or require any additional information. We look forward to hearing from you.

Sincerely,

ST.CLAIR ASSOCIATES



Nancy J. St.Clair, P.E.

Vice President

NJS:njs

c: Congress 127 Apartments, LLC
Project Team