

Department of Planning & Urban Development

Marge Schmuckal
Zoning Administrator

Gregory A. Mitchell
Acting Planning Dept. Director



RECEIVED

JUL - 2 2012

CITY OF PORTLAND
ZONING BOARD OF APPEALS
Conditional Use Appeal Application

Dept. of Building Inspections
City of Portland Maine

Applicant Information:

David Levi
NAME

Vinland
BUSINESS NAME

19 Ellsworth St.
ADDRESS
Portland, ME 04102

917-803-3172 dlevi@vinland.me
TELEPHONE #

Purchaser
APPLICANT'S RIGHT, TITLE OR INTEREST
(eg; owner, purchaser, etc)

B1
CURRENT ZONING DESIGNATION

EXISTING USE OF PROPERTY:

Tattoo Parlor

Subject Property Information

181 Congress St.
PROPERTY ADDRESS

013 M026001
CHART/BLOCK/LOT (CBL)

PROPERTY OWNER (if different)
Ernest Paterno
NAME

61 East Oxford St.
ADDRESS

Portland, ME 04101

CONDITIONAL USE AUTHORIZED BY

SECTION 14 - 163(a)(1)

TYPE OF CONDITIONAL USE
PROPOSED:

Restaurant

STANDARDS: Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

1. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
2. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
3. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

[Signature]
SIGNATURE OF APPLICANT

7/2/12
DATE

David Levi
19 Ellsworth St.
Portland, ME 04102

Dear Mr. Saucier et. al.,

My intention is to purchase 181 Congress Street and convert it from its present use as a tattoo parlor into a small, fine-dining restaurant which will use only local food produced by small farmers, fishermen, etc. The restaurant will be called Vinland.

The change of use should be a gain for the neighborhood and reinforce Munjoy Hill's growing reputation, as well as Portland's, as a destination for great food made from healthy local produce.

Vinland will be a small restaurant, with about twenty five seats. We hope to serve wine and liquor, though this will represent a small part of our business as we will have a very small bar and will not have any bar-only business. We currently plan to serve dinner five nights per week and brunch on weekends as Munjoy Hill is a mostly residential neighborhood with little demand for fine-dining lunch, but if we find that demand emerges, we will likely start serving lunch as well. There will be no drive-through. The restaurant will be closed by 11pm every night. Vinland will have 664 sq. ft. of public floor space and can furnish two parking spaces on the property, with one leased from 179 Congress, which has already been approved by both the current owner (Ernest Paterno) and the current purchaser (Elizabeth Trice), and another leased from either 195 Congress or the Green Memorial African Methodist Episcopal Zion Church, which has a parking lot across the street.

Sincerely,

A handwritten signature in black ink, appearing to read "David Scott Levi". The signature is fluid and cursive, with a large initial "D" and "S".

David Scott Levi

David Levi
19 Ellsworth St.
Portland, ME 04102

ADDENDUM

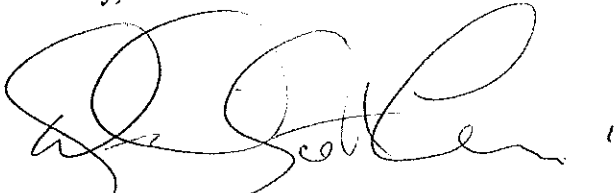
Dear Mr. Saucier et. al.,

In this addendum to my cover letter, I wish to assert that:

1. There are no unique or distinctive characteristics or effects associated with the proposed conditional use;
2. There will be no adverse impact upon the health, safety, or welfare of the public or the surrounding area;
3. Any impact will not differ substantially from the impact which would normally occur from such a use in this zone (except, really, that the impact will be substantially less).

Vinland should compare favorably to most other restaurants, in terms of its impact on the neighborhood. For one, it will replace a tattoo parlor. For another, it will be small and will draw heavily from the immediate neighborhood, so there will not be a significant increase in car flow. For a third, as an innovative, fine-dining restaurant, Vinland should attract a respectful clientele. Finally, Vinland will produce far less waste than other comparable restaurants, which clearly benefits the community.

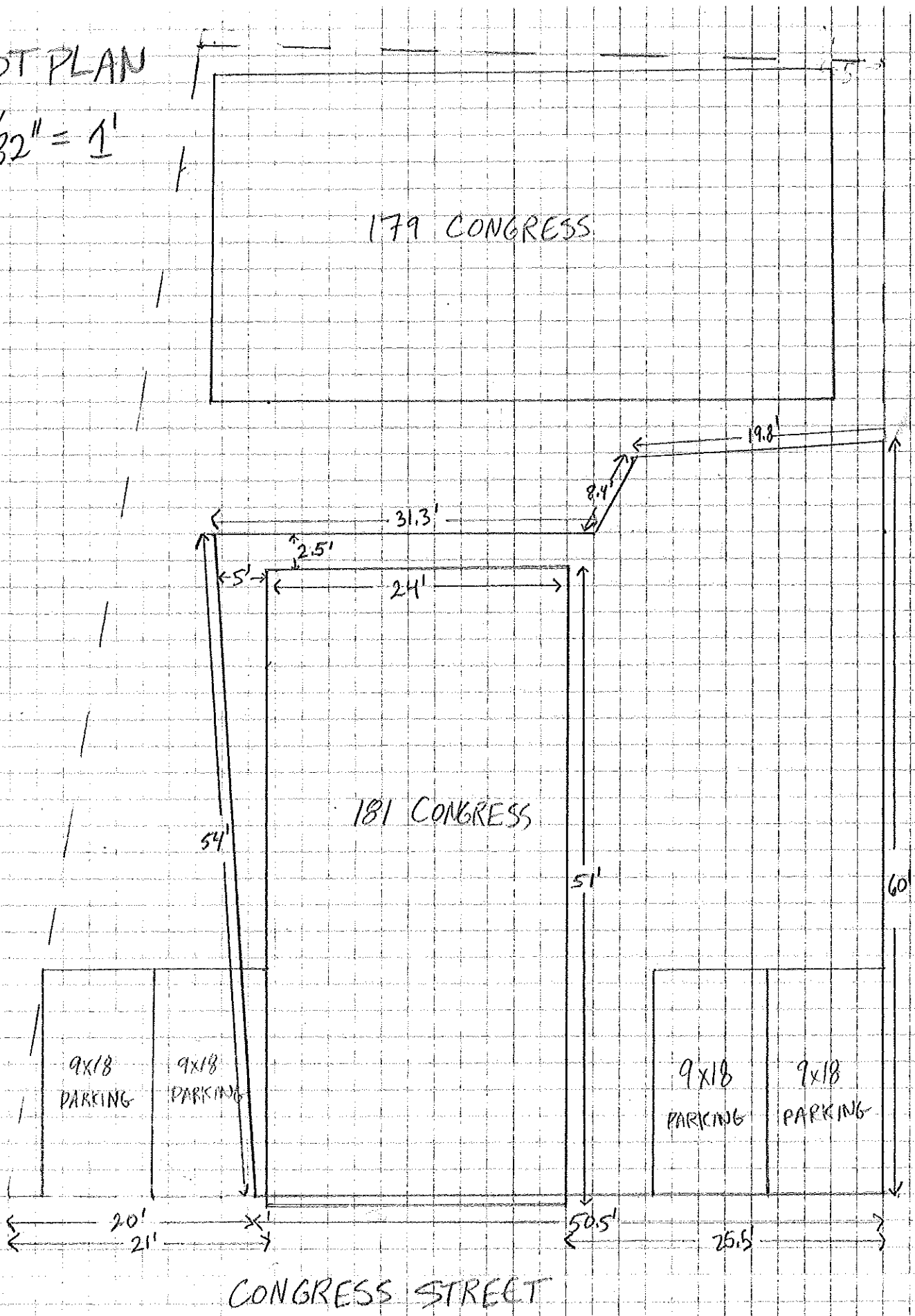
Sincerely,

A handwritten signature in black ink, appearing to read "David Scott Levi". The signature is fluid and cursive, with a large initial "D" and "S".

David Scott Levi

PLOT PLAN

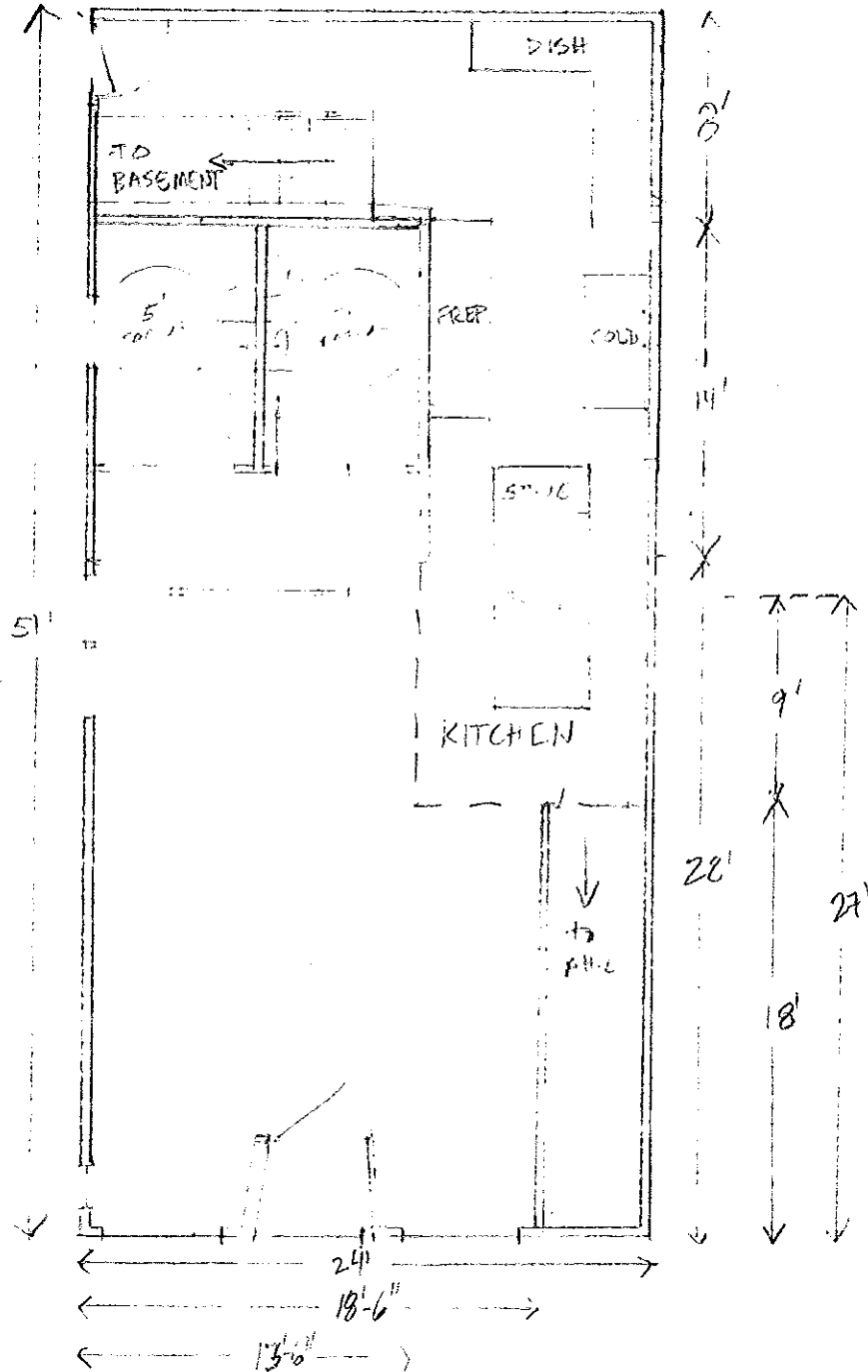
$$3/32" = 1'$$



FLOOR PLAN: PROPOSED

181 Congress, Proposed Vinland Restaurant

$\frac{1}{4}'' = 2 \text{ ft}$

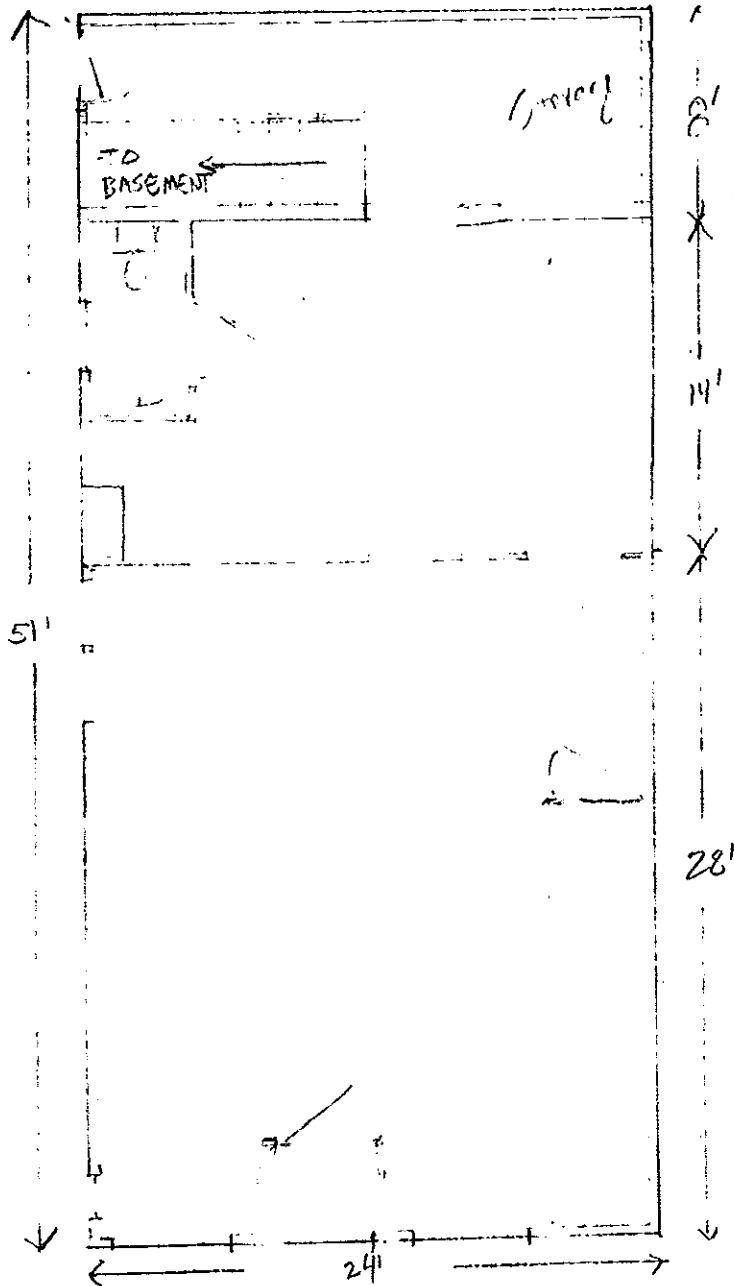


FLOOR AREA OPEN TO PUBLIC = 664 SF

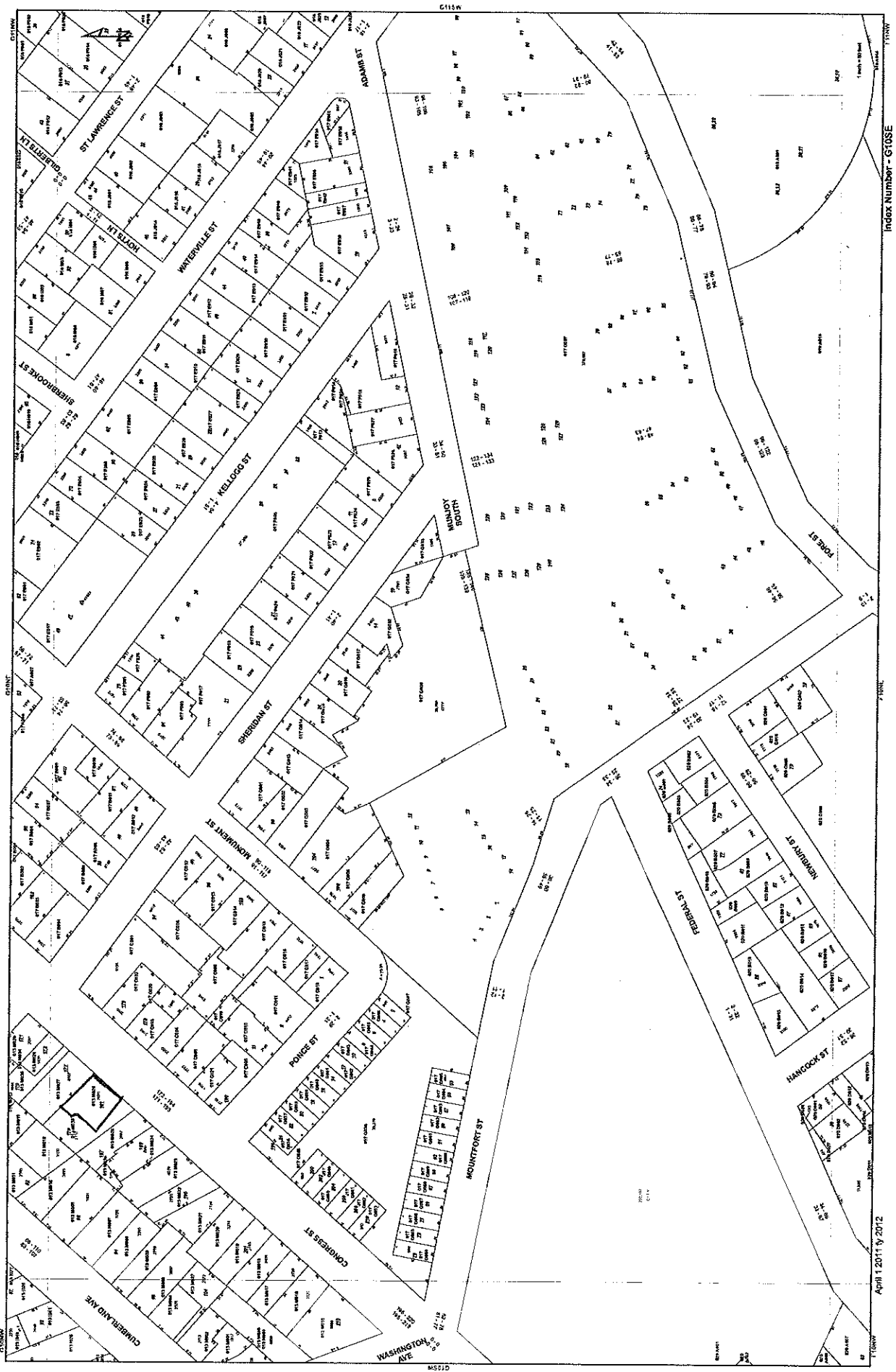
FLOOR PLAN: EXISTING

181 Congress, Existing

$\frac{1}{4}'' = 2\text{ft}$



TAX MAP







July 2, 2012

To:
Philip Saucier, Chairman
Zoning Board of Appeals
City of Portland, Maine

From:
Ernest Paterno
Owner of 181 Congress Street
ernstar@gwi.net
207-775-0418

Dear Mr. Saucier,

The letter is to give formal permission to David Levi to represent my property at 181 Congress Street to the Zoning Board of Appeals.

Mr. Levi is under contract to purchase 181 Congress Street from me, and one of the contingencies is that he is granted a conditional use permit to create a restaurant in that location.

I believe that Mr. Levi's restaurant will be a great benefit to the neighborhood, and hope that you will grant his request.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Paterno', with a large, stylized initial 'E' and 'P'.

Ernest Paterno