

Exhibit 4

Zoning

Assessment of Compliance with Zoning Requirements

The following narrative demonstrates that the project conforms to the applicable design standards of Section 14-526 of the City of Portland Zoning Ordinance.

a) Transportation Standards

1. Impact on surrounding Street Systems

The project consists of a building addition housing a bar and dining area that will be used by customers who choose to dine in. The project will not generate significant additional trips or significant changes in circulation patterns. Therefore, the project is not anticipated to have an adverse impact on the surrounding street system.

2. Access and Circulation

a. Site Access and Circulation

- i. No new curb cuts are needed or proposed*
- ii. No new curb cuts are needed or proposed*
- iii. No drive up features are proposed.*

b. Loading and Servicing

- i. Delivery vehicles will continue to utilize the existing delivery door and route located in the parking lot off India Street.*

c. Sidewalks

- i. All existing sidewalks on India Street and Newbury Street will remain to the greatest extent feasible and will be repaired/replaced if disturbed.*
- ii. Sidewalks are in good condition*

3. Public Transit Access

- a. N/A*

4. Parking

a. Location and required number of parking spaces

- i. The existing restaurant has enough parking for the addition*
- ii. A parking study is not required for this project*
- iii. N/A*
- iv. N/A*
- v. N/A*

b. Location and required number of bicycle parking spaces

- i. The site plan shall provide secure bicycle parking in conformance with Section 1 of the Technical Manual and shall meet the following*

Requirements:

- a. Not Applicable (not a residential structure)*
- b. Bicycle locking posts will be installed on the sidewalk as shown on the site plan.*
- c. Not Applicable*

c. Motorcycle and scooter parking

- i. No motorcycle parking is required.*

- d. Snow Storage
 - i. *No changes are proposed that impact the storage of snow.*
 - ii. *N/A*
- 5. Transportation demand management (TDM)
 - a. *Not Applicable.*
- b) Environmental Quality Standards
 - 1. Preservation of Significant Natural Features:
 - a. *No significant natural features are located on the site.*
 - b. *Not applicable*
 - c. *No waivers are being requested for the project.*
 - 2. Landscaping and Landscaping Preservation
 - a. Landscaping preservation
 - i. *No trees being removed meet the preservation requirement.*
 - ii. *The proposed structure will be built to the sidewalk.*
 - iii. *Not Applicable (see above)*
 - iv. *No waivers are being requested.*
 - v. *Not applicable. The site is not located within the Shoreland Zone.*
 - b. Site Landscaping
 - i. Landscaped Buffers
 - a. *All service areas, dumpsters, storage areas and utility structures are existing.*
 - b. *There are not required setbacks and the proposed structure will be built to the sidewalk.*
 - c. *Not Applicable.*
 - d. *Not Applicable.*
 - ii. Parking lot landscaping
 - a. *Not Applicable. No new parking spaces are proposed. No changes to parking are proposed*
 - iii. Street Trees
 - a. *No additional landscaping proposed*
 - b. *No waivers are requested for street trees.*
- 3. Water Quality, Stormwater Management, and Erosion Control
 - a. *The proposed project will not result in a net increase of impervious area.*
 - b. *The project site is fully developed in its current condition and will be similar in proposed condition. Surface drainage enters the public storm drain system along Newbury at India Street.*
 - c. *The project is not located within an Urban Impaired Stream watershed.*
 - d. *Not Applicable.*
 - e. *The project will not pose a risk of groundwater contamination.*
 - f. *The proposed development will discharge wastewater to the City of Portland wastewater collection system. A copy of the sewer capacity*

application is included with this submission.

c) Public Infrastructure and Community Safety Standards

1. Consistency with Master Plans

a. The development has been designed in accordance with the City Zoning Ordinance, Technical Manual, Master Plan, and off-premises infrastructure.

b. An easement will be provided for the portions of the India Street and Newbury Street sidewalks that will be located on the Applicant's property.

2. Public Safety and Fire Prevention

a. The site has been designed to promote safe and comfortable access by the public, employees, and residents.

b. Adequate emergency vehicle access to the site is provided from India Street and Newbury Street.

c. An existing fire hydrant connected to the Portland Water District system is located approximately 55' feet from the building on the opposite side of India Street.

3. Availability and Adequate Capacity of Public Utilities

a. The project requires no new utility services and will utilize existing services at the current Amato's. All connections will be internal to the site.

f. The Applicant will maintain their existing private waste disposal contract using the existing dumpster in the India Street parking lot.

d) Site Design Standards

1. Massing, Ventilation, and Wind Impact:

a. The building will not have an adverse effect on the ventilation or wind climate of the site or abutting properties.

b. The building's bulk, location, and height will not have an adverse effect on the value of the abutting structures.

c. HVAC equipment will be located on the roof and will be vented away from existing buildings.

2. Shadows

a. The height of the proposed addition will be 15.00 feet at its tallest point, which is less than the 45-foot height threshold that triggers a preliminary shadow analysis. It is not anticipated that the project will have an adverse impact on publicly accessible open space or other important natural features.

3. Snow and Ice Loading

a. The roof will be slightly pitched to the side of the building. Brick parapet will limit snow and ice from falling onto the sidewalk. No snow or ice will accumulate within the public way as a result.

4. View Corridors

a. The height of the building is 15 feet from India Street grade, which is equal to the adjacent buildings. Therefore, it will not have an adverse impact on views.

5. Historic Resources

- a. An approval letter from the Historic Preservation Board is attached.*
- b. N/A*
- c. There are no known archaeological resources on the site.*

6. Exterior Lighting

a. Site Lighting

- i. 4 exterior light fixtures are proposed on the new building. Two exterior wall lights for the signage along India Street and two wall light under the canopy at the intersection of India Street and Newbury Street. All fixtures are full-cutoff.*
- ii. The lights are directed towards the building and not towards any residential structures.*

b. Architectural and Specialty Lighting

- i. No architectural or specialty lighting is proposed*
- ii. No up-lighting is proposed*

c. Street Lighting

- i. No street lighting is proposed.*

7. Noise and Vibration

a. HVAC and Mechanical Equipment

- i. HVAC equipment will be located on the roof in a location that is away from the abutting properties.*
- ii. No emergency generators are proposed.*

8. Signage and Wayfinding

- a. No Street or wayfinding signage is proposed. Lettering is proposed on the front of the building as indicated on the architectural elevations.*

9. Zoning Related Design Standards

- a. No additional design standards apply in the IS-FBC.*

e) Conditions

- 1. No conditions have been imposed by the Planning Authority or Planning Board at this time.*

f) General Waivers





This page contains a detailed description of the Parcel ID you selected.

[New Search!](#)

Current Owner Information:

CBL	020 D031001
Land Use Type	RETAIL & PERSONAL SERVICE
Verify legal use with Inspections Division	
Property Location	71 INDIA ST
Owner Information	DOMINIC REALI REALTY LLC 312 ST JOHN ST PORTLAND ME 04102
Book and Page	15585/307
Legal Description	20-D-31 INDIA ST 73-81
	18793 SF

Current Rental Registration

Acres 0.4314

Current Assessed Valuation:

TAX ACCT NO.	3098	OWNER OF RECORD AS OF APRIL 2017
LAND VALUE	\$400,400.00	DOMINIC REALI REALTY LLC
BUILDING VALUE	\$185,800.00	
NET TAXABLE - REAL ESTATE	\$586,200.00	312 ST JOHN ST PORTLAND ME 04102
TAX AMOUNT	\$12,691.24	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Building Information:

Building 1

Year Built	1999
Style/Structure Type	
# Units	1
Square Feet	3025

[View Sketch](#) [View Map](#) [View Picture](#)
[View Map](#)

Services

- [Applications](#)
- [Doing Business](#)
- [Maps](#)
- [Tax Relief](#)
- [Tax Roll](#)
- [Q & A](#)

[browse city services a-z](#)

[browse facts and links a-z](#)



Best viewed at 800x600, with Internet Explorer



Exterior/Interior Information:

	Building 1
Levels	01/01
Size	3025
Use	CONVENIENCE STORE
Height	12
Walls	BRICK/STONE
Heating	HOT AIR
A/C	CENTRAL

Outbuildings/Yard Improvements:

	Building 1
Year Built	2001
Structure	ASPHALT PARKING
Size	10000
Units	1
Grade	C
Condition	3

Sales Information:

Sale Date	Type	Price	Book/Page
7/10/2000	LAND + BUILDING	\$0.00	15585/307
6/6/1991	LAND + BUILDING	\$0.00	9591/037

[New Search!](#)