

Jeff Levine, AICP, Director Planning & Urban Development Department

Electronic Signature and Fee Payment Confirmation

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a *legal signature* per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

reviewed un	signed, intend and acknowledge that no Site Plan or Hitl payment of appropriate application fees are <i>paid</i> in by method noted below:			
	Within 24-48 hours, once my complete application and corresponding paperwork has been electronically delivered, I intend to call the Inspections Office at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.			
	Within 24-48 hours, once my application and correspondelivered, I intend to call the Inspections Off administrative representative and provide a credit/debit	fice at 207-874-8703 and speak to an		
х	I intend to deliver a payment method through the U.S paperwork has been electronically delivered.	S. Postal Service mail once my application		
H	thigh Sisher			
		November 14, 2014		
Applica	ant Signature:	Date:		
Stepher	n R. Bushey, P.E Sr. Principal Engineer	November 14, 2014		
	provided digital copies and sent them on:	Date:		
NOTE:	All electronic paperwork must be delivered to by physical means i.e. a thumb drive or CD to the Room 315.			



Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: http://me-portland.civicplus.com/DocumentCenter/Home/View/1080
Design Manual: http://me-portland.civicplus.com/DocumentCenter/View/2355
Technical Manual: http://me-portland.civicplus.com/DocumentCenter/View/2356

Planning Division Fourth Floor, City Hall 389 Congress Street (207) 874-8719

Office Hours Monday thru Friday 8:00 a.m. – 4:30 p.m.

PROJECT NAME: "midtown" Project

PROPOSED DEVELOPMENT ADDRESS:

Somerset Street between Elm and Pearl Street (northwesterly side) and Elm Street between Portland Trail and lot with Trader Joe's - mixed use.

PROJECT DESCRIPTION:

A 3.50 a.c. mixed-use development with a 828 space parking garage and up to 445 residential

units and 91,500 s.f. of retail space.

034/D009001; 025/A022001

CHART/BLOCK/LOT: 034/D010001; 034/D003; 025/A022;

025/B002; 025/B003; 025/B004;

025/B005

PRELIMINARY PLAN 10/1

10/17/2014 (date) 11/14/2014 (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer	Applicant Contact Information	
Name: Jonathan Cox	Work # (305) 974-1454	
Business Name, if applicable: The Federated Companies	Home#	
Address: P.O. Box 370008	Cell # (978) 375-1414 Fax#	
City/State : Miami, FL Zip Code: 33137-4110	e-mail: j_cox@federatedcompanies.com	
Owner – (if different from Applicant)	Owner Contact Information	
Name: City of Portland, Maine	Work#	
Address: 389 Congress Street	Home#	
City/State : Portland, ME Zip Code: 04101	Cell # Fax#	
	e-mail:	
Agent/ Representative	Agent/Representative Contact information	
Name: Stephen R. Bushey, P.E.	Work # 207-775-1121	
Address: 778 Main Street, Suite 8	Cell # 207-756-9359 207-879-0896	
City/State : South Portland, ME Zip Code: 04106	e-mail: sbushey@fstinc.com	
Billing Information	Billing Information	
Name: SAME AS APPLICANT	Work#	
Address:	Cell # Fax#	
City/State : Zip Code:	e-mail:	

Engineer **Engineer Contact Information** Bo E. Kennedy, P.E. - Engineer Work # 207-775-1121 Name: Stephen R. Bushey, P.E. - Sr. Principal Engineer Cell # 207-318-8364 Fax# 207-879-0896 Address: 778 Main Street, Suite 8 e-mail: bkennedy@fstinc.com; sbushey@fstinc.com City/State: South Portland, ME Zip Code: 04106 Surveyor **Surveyor Contact Information** Work # 207-774-0424 Name: Owen Haskell, Inc. - Ellen Brewer Cell# Fax# Address: 390 U.S. Route 1 e-mail: ebrewer@owenhaskell.com City/State: Falmouth, ME Zip Code: 04105 Architect **Architect Contact Information** David Hancock AIA LEED Work # 617-646-5353 Name: **CBT Architects** Cell# Fax# Address: 110 Canal Street e-mail: hancock@cbtarchitects.com City/State: Boston, MA Zip Code: 02114 Attorney **Attorney Contact Information** Work # Name: TO BE DETERMINED Cell# Fax# Address: e-mail: City/State: Zip Code:

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)

check all reviews that apply: (Fayment may be made by credit card, cash of check payable to the city of Fortiand.				
Level III Development (check applicable reviews)	Other Reviews (check applicable reviews)			
Less than 50,000 sq. ft. (\$500.00)				
50,000 - 100,000 sq. ft. (\$1,000)	X Traffic Movement (\$1,000)			
<u>x</u> 100,000 – 200,000 sq. ft. (\$2,000)	Stormwater Quality (\$250)			
200,000 – 300,000 sq. ft. (\$3,000)	<u>X</u> Subdivisions (\$500 + \$25/lot)			
over \$300,00 sq. ft. (\$5,000)	# of Lots 445 x \$25/lot = \$11,125			
Parking lots over 11 spaces (\$1,000)	Site Location (\$3,000, except for			
After-the-fact Review (\$1,000.00 plus	residential projects which shall be			
applicable application fee)	\$200/lot)			
	# of Lots x \$200/lot =			
Plan Amendments (check applicable reviews)	Other			
Planning Staff Review (\$250)	Change of Use			
Planning Board Review (\$500)	Flood Plain			
	Shoreland			
The City invoices separately for the following:	Design Review			
 Notices (\$.75 each) 	Housing Replacement			
 Legal Ad (% of total Ad) 	Historic Preservation			
 Planning Review (\$40.00 hour) 				
 Legal Review (\$75.00 hour) 				
Third party review fees are assessed separately. Any outside	*As indicated in previous conversations with City Staff and			
reviews or analysis requested from the Applicant as part of the	the Applicant, the Fees will be determined by City Staff			
development review, are the responsibility of the Applicant and	corresponded directly to the applicant.			
are separate from any application or invoice fees.	astrooperiasa arrootty to the approach.			

APPLICATION SUBMISSION:

- All site plans and written application materials must be submitted electronically on a CD or thumb drive with each plan submitted as separate files, with individual file which can be found on the Electronic Plan and Document Submittal page of the City's website at http://me-portland.civicplus.com/764/Electronic-Plan-and-Document-Submittal
- 2. In addition, one (1) paper set of the plans (full size), one (1) paper set of plans (11 x 17), paper copy of written materials, and the application fee must be submitted to the Building Inspections Office to start the review process.

The application must be complete, including but not limited to the contact information, project data, application checklists, wastewater capacity, plan for fire department review, and applicant signature. The submissions shall include one (1) paper packet with folded plans containing the following materials:

- 1. One (1) full size site plans that must be folded.
- 2. One (1) copy of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
- 3. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
- 4. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- 5. One (1) set of plans reduced to 11 x 17.

Please refer to the application checklist (attached) for a detailed list of submission requirements.

APPLICANT SIGNATURE:

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 Planning Authority and Code Enforcement'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.

This application is for a Level II Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant	Date:
Style Siske	November 14, 2014

PROJECT DATA

The following information is required where applicable, in order to complete the application.

Total Area of Site	15	52,296 sq. ft.	
Proposed Total Disturbed Area of the Site	152,296 sq. ft.		
If the proposed disturbance is greater than one acre, then the	applicant shall apply for a Maine Co		
(MCGP) with DEP and a Stormwater Management Permit, Chap			
,	,		
Impervious Surface Area			
Impervious Area (Total Existing)	Disturbed Site	e - >95% sq. ft.	
Impervious Area (Total Proposed)		150,000 sq. ft.	
		<u>.</u>	
Building Ground Floor Area and Total Floor Area			
Building Footprint (Total Existing)		1,127 sq. ft.	
Building Footprint (Total Proposed)		113,900 sq. ft.	
Building Floor Area (Total Existing)		1,127 sq. ft.	
Building Floor Area (Total Proposed)		715,100 sq. ft.	
Zoning			
Existing	E	3-7	
Proposed, if applicable	E	3-7	
Land Use			
Existing	Unimproved Former Rai	I Yard and Metal Recycling	
Proposed	Mixe	ed Use	
Residential, If applicable			
# of Residential Units (Total Existing)	0		
# of Residential Units (Total Proposed)	445		
# of Lots (Total Proposed)	6 (2 of whice	h are retained by the City)	
# of Affordable Housing Units (Total Proposed)	0		
Proposed Bedroom Mix			
# of Efficiency Units (Total Proposed)	12		
# of One-Bedroom Units (Total Proposed)	13	30	
# of Two-Bedroom Units (Total Proposed)	19	95	
# of Three-Bedroom Units (Total Proposed)			
Double of Consession	On Chroat	Corosa	
Parking Spaces	On Street	Garage	
# of Parking Spaces (Total Existing)	65	0	
# of Parking Spaces (Total Proposed)	49	828	
# of Handicapped Spaces (Total Proposed)	0	17	
Bicycle Parking Spaces			
# of Bicycle Spaces (Total Existing)			
# of Bicycle Spaces (Total Existing) # of Bicycle Spaces (Total Proposed)	0	76	
# of bicycle spaces (Total FToposeu)	1	10	
Estimated Cost of Project	\$95.1	Million	
Listinated Cost of Froject	ψ03 1	VIIIIOI I	

PRELIMINARY PLAN (Optional) - Level III Site Plan				
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST	
Χ		1	Completed Application form	
Х		1	Application fees	
Х		1	Written description of project	
Х		1	Evidence of right, title and interest	
Х		1	Evidence of state and/or federal approvals, if applicable	
Х		1	Written assessment of proposed project's compliance with applicable zoning requirements	
X X		1	Summary of existing and/or proposed easement, covenants, public or private rights-of-way, or other burdens on the site	
Х		1	Written requests for waivers from site plan or technical standards, if applicable.	
Χ		1	Evidence of financial and technical capacity	
Х		1	Traffic Analysis (may be preliminary, in nature, during the preliminary plan phase)	
Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST	
Х		1	Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual	
X		1	Preliminary Site Plan including the following: (information provided may be preliminary in nature during preliminary plan phase)	
Х		Proposed grading and contours;		
Х		Existing structures with distances from property line;		
Х		Proposed site layout and dimensions for all proposed structures (including piers, docks or wharves in Shoreland Zone), paved areas, and pedestrian and vehicle access ways;		
Х		Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);		
Х		Preliminary infrastructure improvements;		
Х		Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;		
Х		Location of significant natural features (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features) located on the site as defined in Section 14-526 (b) (1);		
X		Proposed buffers and preservation measures for significant natural features, as defined in Section 14-526 (b) (1);		
Х	Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed;			
Х	X Exterior building elevations.			

FINAL PLAN - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
Х		1	* Completed Application form
Х		1	* Application fees
Х		1	* Written description of project
X		1	* Evidence of right, title and interest
X		1	* Evidence of state and/or federal permits
X		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
X		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
Х		1	* Evidence of financial and technical capacity
X		1	Construction Management Plan
X		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
X		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
Х		1	Stormwater management plan and stormwater calculations
X		1	Written summary of project's consistency with related city master plans
X		1	Evidence of utility capacity to serve
X		1	Written summary of solid waste generation and proposed management of solid waste
X		1	A code summary referencing NFPA 1 and all Fire Department technical standards
Х		1	Where applicable, an assessment of the development's consistency with any applicable design standards contained in Section 14-526 and in City of Portland Design Manual
Х		1	Manufacturer's verification that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

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Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
X		1	* Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
Х		1	Final Site Plans including the following:
Х		_	and proposed structures, as applicable, and distance from property line g location of proposed piers, docks or wharves if in Shoreland Zone);
Х		Existing a	and proposed structures on parcels abutting site;
X			s and intersections adjacent to the site and any proposed geometric tions to those streets or intersections;
X			dimensions and materials of all existing and proposed driveways, vehicle estrian access ways, and bicycle access ways, with corresponding curb
X		Engineer	ed construction specifications and cross-sectional drawings for all driveways, paved areas, sidewalks;
X			and dimensions of all proposed loading areas including turning templates cable design delivery vehicles;
X		_	and proposed public transit infrastructure with applicable dimensions and ing specifications;
			of existing and proposed vehicle and bicycle parking spaces with
X		applicable dimensional and engineering information;	
X		Location of all snow storage areas and/or a snow removal plan;	
X		A traffic control plan as detailed in Section 1 of the Technical Manual;	
N/A			d buffers and preservation measures for significant natural features, oplicable, as defined in Section 14-526(b)(1);
N/A		Location	and proposed alteration to any watercourse;
N/A			ntion of wetlands boundaries prepared by a qualified professional as in Section 8 of the Technical Manual;
N/A		Proposed buffers and preservation measures for wetlands;	
X		Existing soil conditions and location of test pits and test borings;	
		_	regetation to be preserved, proposed site landscaping, screening and
X			d street trees, as applicable;
		A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;	
X		Grading	·
X N/A		<u> </u>	vater protection measures;
N/A X			and proposed sewer mains and connections;

- Continued on next page -

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	<u> </u>
	Location of all existing and proposed fire hydrants and a life safety plan in
X	accordance with Section 3 of the Technical Manual;
	Location, sizing, and directional flows of all existing and proposed utilities within
X	the project site and on all abutting streets;
	Location and dimensions of off-premises public or publicly accessible
X	infrastructure immediately adjacent to the site;
	Location and size of all on site solid waste receptacles, including on site storage
X	containers for recyclable materials for any commercial or industrial property;
	Plans showing the location, ground floor area, floor plans and grade elevations for
X	all buildings;
Х	A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
	A note on the plan identifying the Historic Preservation designation and a copy of
	the Application for Certificate of Appropriateness, if applicable, as specified in
X	Section Article IX, the Historic Preservation Ordinance;
	Location and dimensions of all existing and proposed HVAC and mechanical
X	equipment and all proposed screening, where applicable;
X	An exterior lighting plan in accordance with Section 12 of the Technical Manual;
	A signage plan showing the location, dimensions, height and setback of all existing
N/A	and proposed signs;
	Location, dimensions and ownership of easements, public or private rights of way,
X	both existing and proposed.

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Neighborhood Meeting Certification

I, Steve Bushey, FST (consultant) hereby certify that a neighborhood meeting was held on November 13, 2014 at USM Abromson Center – Room 216; 88 Bedford Street at 5:30 p.m.

I also certify that on October 31, 2014 invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development or within 1,000 feet of a proposed industrial subdivision or industrial zone change and on the "interested parties" list.

A digital copy of the notice was also provided to the Planning Division (jmy@portlandmaine.gov and Idobson@portlandmaine.gov) and the assigned planner to be forwarded to those on the interested citizen list who receive e-mail notices.

Signed,

Attached to this certification are:

- 1. Copy of the invitation sent
- 2. Sign-in sheet
- 3. Meeting minutes



October 31, 2014

Dear Neighbor:

Please join us for a **Neighborhood Meeting** to discuss our request for Final Level III Subdivision and Site Plan approval to allow for the construction of the **midtown project** on Somerset Street between Elm Street and Pearl Street, and Elm Street between the Portland Trail and lot with Trader Joe's.

Meeting Location: University of Southern Maine

Abromson Center, Room #216 88 Bedford Street, Portland, Maine

(parking is available in the adjacent parking garage)

Meeting Date: Thursday, November 13, 2014

Meeting Time: 5:30-7:30 PM

The City Code requires that property owners within 500 feet (except notices must be sent to property owners within 1,000 feet for industrial zoning map amendments and industrial subdivisions) of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please feel free to contact me at 207-775-1121.

Sincerely,

FAY, SPOFFORD & THORNDIKE

Stephen R. Bushey, P.E. Senior Principal Engineer

SRB/smk

 $R:\ 3062B-midtown\ Amended-Portland,\ ME\ Admin\ Permitting\ Local\ Final\ Site\ Plan\ \&\ Subdivision\ \ 2014.10.30\ Neighborhood\ Meeting\ Notice. documents$

Note: Under Section 14-32(C) and 14-525 of the City Code of Ordinances, an applicant for a Level III development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within three weeks of submitting a preliminary application or two weeks of submitting a final site plan application, if a preliminary plan was not submitted. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Planning and Urban Development Department, Planning Division 4th Floor, 389 Congress Street, Portland, ME 04101 or by email to: bab@portlandmaine.gov

MIDTOWN PROJECT NEIGHBORHOOD MEETING NOVEMBER 13, 2014 AT 5:30 PM SIGN IN SHEET

Steve Bushey FST Inc.	775-1121
DAVE MEKEOWE LABORERS 327	207-458-7700
Don BERRY LMCE 567	202 358-2181
Reggie Munson Iron Workers 7	207-314-3530
James E Hewey LABORER Libora 327	207-312-1028
Kenneth TAVARES -ABONERS 327	207 9518908
Luke I LACROIN - LABoners 976	207-725-7348
Jeff Grinnukky Portland Resident	207-408-7666
Cicely Russell	207-781-4860
I'm PARASIS PORTURAD	207-871-9895
(élines)aniell FSTIM	885-775-1121
TOM MANNING	917 951 4109
Dan Mindt	207 751 1679

DEVIN MAYO PORTLA	ND ROSIDENT	207-951-638,
Chris Tuke L	IUNA 207	-951-6280
Lewis Overlock Livi	J4 207	957 6353
Tom Donnelly. CC		8873244
Steve Hirshoer	32	1056
DOB YORAL	774	- 4427
DAVID HANCOCK	(617	262: 4354
Xlex Landy	alexa	ecitymouse, US



midtown Project Neighborhood Meeting Minutes November 14, 2014

Consultant Team: David Hancock, CBT Architects

Jonathan Cox, The Federated Companies

Steve Bushey, P.E., FST Celina Daniell, FST

Bob Metcalf, Mitchell & Associates

Location: USM Abromson Center – Room 216

88 Bedford Street, Portland, ME

- Steve Bushey opened the doors at approximately 5:20 p.m. and participants signed in.
- Meeting commenced at approximately 5:40 p.m.
- David Hancock introduced the project and explained that the project had been scaled down from the previous midtown submission made in December 2013.
- A participant inquired about the elevation transition at Somerset Street near the Noyes Building. He
 wanted clarification how why would you raise to that level since it was abutting right next to the
 building.

David H. indicated they were raising the street to level to slightly below the Noyes Building

David H. and Jonathan C. explained that the City of Portland has a long term plan to raise the Bayside area and the City had mandated The Federated Companies to raise Somerset street to offset the cost to the City.

- · No further questions were asked.
- Meeting adjourned 6:30 p.m.

Prepared by:

FAY, SPOFFORD & THORNDIKE

Stephen R. Bushey, P.E. Senior Principal Engineer