

City of Portland, Maine - Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 230 Commercial St.		Owner: Proprietors of Union		Phone: 772-8160	Permit No: 001154
Owner Address: 36 Union Wharf, P.O. box 7467 Portland, ME 04112		Lessee/Buyer's Name: Portland, ME 04112		Phone:	
Contractor Name: Thaxter Co.		Address: Bell St. Portland, ME		Phone: 878-5553	Permit Issued: 3
Past Use: Commercial		Proposed Use: Same		COST OF WORK: \$ 100,00.00	
				PERMIT FEE: \$ 624.00	Zone: CBL: 031-L-135 WCZ
				FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	
				INSPECTION: Use Group: A-3 Type: 313 BOCA 99	Zoning Approval: <i>OK with conditions</i> Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone - panel 13 zone C <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan major <input type="checkbox"/> minor # 990156 Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input checked="" type="checkbox"/> Conditional Use <i>by PLANNING BOARD</i> <input type="checkbox"/> Interpretation <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>A subst future 9/12/00</i>
Proposed Project Description: 1,162 sf addition		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied: <input type="checkbox"/>		Signature: <i>[Signature]</i> Date:	
Permit Taken By: Gayle		Date Applied For: September 25, 2000		GG	

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit

September 25, 2000

SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: _____ PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

PERMIT ISSUED WITH REQUIREMENTS

PERMIT ISSUED WITH REQUIREMENTS

1

Applicant: Proprietors of Union Wharf. Date: ~~28~~ Sept. 24,

Address: 230 Commercial St. C-B-L: 31-L-135

CHECK-LIST AGAINST ZONING ORDINANCE

Date - 27/Sept/24,

Zone Location - WCZ

Interior or ~~corner~~ lot -

Proposed Use/Work - 1,162 SF. Add. T10C. OK per Zoning Amendment 14-315

Sewage Disposal -

Lot Street Frontage -

Front Yard -

Rear Yard -

Side Yard -

Projections -

Width of Lot -

Height -

Lot Area -

NO setbacks required in WCZ except 5' from pier line which is not close to this site

Lot Coverage/Impervious Surface - 100%

Area per Family -

Off-street Parking - see letter

Loading Bays -

Site Plan - yes - PLANNING Board conditional use appeal # 19990156 granted 9/12/00

Shoreland Zoning/Stream Protection -

Flood Plains - WCZ zone exempted from Shoreland

panel 13 outside of flood plain zone C

CITY OF PORTLAND, MAINE

PLANNING BOARD

Jaimey Caron, Chair
Deborah Krichels, Vice Chair
Kenneth M. Cole III
Cyrus Y. Hagge
Erin Rodriguez
Mark Malone
Orlando E. Delogu

September 13, 2000

Proprietors of Union Wharf
Charles Poole, Wharfinger
41A Union Wharf
P.O. Box 7467 DTS
Portland, ME 04112

re: 230 Commercial Street, Sapporo Restaurant expansion.

Dear Mr. Poole:

On September 12, 2000 the Portland Planning Authority voted 5 to 0 (Krichels and Hagge absent) to approve the site plan application for an expansion of the Sapporo Restaurant facility at 230 Commercial Street.

The proposed site plan was found to be in conformance with the Conditional Use section of the Waterfront Central Zone and the Site Plan Ordinance of the Land Use Code and approval is subject to the following conditions:

1. That the applicant submit for planning staff review and approval a revised landscape plan showing a landscape buffer and/or fence feature which will define the exterior seating area and discourage parking in front of the addition.

The approval is based on the submitted plan and the findings related to site plan review standards as contained in Planning Board # 46-00, which is attached. Please note the following provisions and requirements for all site plan approvals:

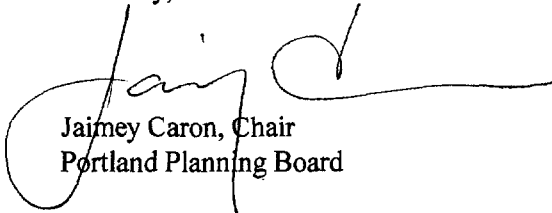
1. A performance guarantee will be required for this project covering the costs of all site work and off-site improvements. Additionally, an inspection fee of 1.7% of the performance guarantee will be required.
2. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.
5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator (who is located at DeLuca Hoffman at 775-1121) must be notified five (5) working days prior to date required for final site inspection. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions regarding the Board's actions, please contact the planning staff.

Sincerely,



Jaimey Caron, Chair
Portland Planning Board

enc.

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
William B. Needelman, Planner
P. Samuel Hoffses, Building Inspector
✓Marge Schmuckal, Zoning Administrator
Tony Lombardo, Public Works Project Engineer
Development Review Coordinator
William Bray, Director of Public Works
Nancy Knauber, Associate Engineer
Jeff Tarling, City Arborist
Penny Littell, Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Inspection Department
Lee Urban, Director of Economic Development
Don Hall, Appraiser, Assessor's Office
Susan Doughty, Assessor's Office
Approval Letter File

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

**Building or Use Permit Pre-Application
Attached Single Family Dwellings/Two-Family Dwelling
Multi-Family or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

NOTEIf you or the property owner owes real estate or personal property taxes or user charges on ANY PROPERTY within the City, payment arrangements must be made before permits of any kind are accepted.**

Location/Address of Construction (include Portion of Building):		230 COMMERCIAL ST., PORTLAND, ME.	
Total Square Footage of Proposed Structure		Square Footage of Lot: 162589 WHARF	
Tax Assessor's Chart, Block & Lot Number		Owner: PROPRIETORS OF UNION	Telephone: 207-772-8160
Chart# 031	Block# 6	Lot# 135	
Owner's Address: 36 UNION WHARF PO BOX 7467 PORTLAND, ME 04112		Lessee/Buyer's Name (If Applicable): NA	Cost Of Work: \$100,000 Fee: \$624.00
Proposed Project Description: (Please be as specific as possible) 1,162 sq. ft. addition on the east side of 230 COMM ST. which is existing. The addition is 1 story. 230 C. ST. is home of SAMPORO REST.			
Contractor's Name, Address & Telephone: THEXTER CO. BELL ST. PORTLAND, ME 04102			Rec'd By: [Signature]
Current Use: RESTAURANT		Proposed Use: SAME	

Separate permits are required for Internal & External Plumbing, HVAC and Electrical Installation.

- All construction must be conducted in compliance with the 1996 M.E. C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the 1996 State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1996 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

You must include the following with your application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) A Copy of your Construction Contract, if available
- 3) A Plot Plan/Site Plan

Minor or Major site plan review will be required for the above proposed projects. The attached checklist outlines the minimum standards for a site plan.

- 4) Building Plans

Unless exempted by State Law, construction documents must be designed by a registered design professional.

A complete set of construction drawings showing all of the following elements of construction:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and dampproofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

Certification

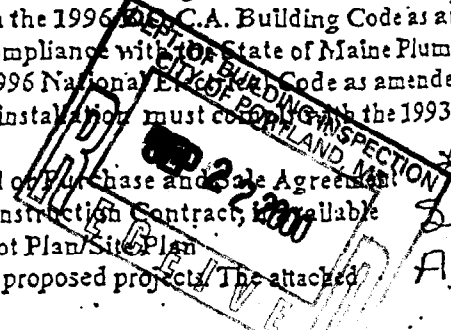
I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Officials authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the code applicable to this permit.

Signature of applicant: <i>Charlie Poole</i>	Date: 9/21/00
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Building Permit Fee: \$30.00 for the 1st \$1000. cost plus \$6.00 per \$1,000.00 construction cost thereafter.

Additional Site review and related fees are attached on a separate addendum

307 594 \$
30 + 6x 99 = 624



If Available also submit plans on ADOBE or CAD format EVERYTHING on FIG.

Call ** Charlie Poole 772 8160

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM**

19990156

I. D. Number

Proprietors of Union Wharf

Applicant
36 Union Wharf Box 7467, Portland, ME 04112
 Applicant's Mailing Address
Charles Poole
 Consultant/Agent
772-8160 772-8471
 Applicant or Agent Daytime Telephone, Fax

10/29/99
 Application Date
Addition
 Project Name/Description

230 Commercial St, Portland Maine 04101
 Address of Proposed Site
031-L-038
 Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):
 Office Retail Manufacturing Warehouse/Distribution Parking Lot New Building Building Addition Change Of Use Residential Other (specify) **Comm. St. End**
1162 sf Proposed Building square Feet or # of Units **4+** Acreage of Site **WC 7** Zoning

Check Review Required:

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | | <input type="checkbox"/> Other _____ |

Fees Paid: Site Plan **\$400.00** Subdivision _____ Engineer Review _____ Date: **10/29/99**

Inspections Approval Status:

Reviewer _____
 Approved Approved w/Conditions see attached Denied
 Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached
 Condition Compliance signature _____ date _____

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____ date _____	_____ amount _____	_____ expiration date _____
<input type="checkbox"/> Inspection Fee Paid	_____ date _____	_____ amount _____	
<input type="checkbox"/> Building Permit Issued	_____ date _____		
<input type="checkbox"/> Performance Guarantee Reduced	_____ date _____	_____ remaining balance _____	_____ signature _____
<input type="checkbox"/> Temporary Certificate of Occupancy	_____ date _____	<input type="checkbox"/> Conditions (See Attached)	
<input type="checkbox"/> Final Inspection	_____ date _____	_____ signature _____	
<input type="checkbox"/> Certificate Of Occupancy	_____ date _____		
<input checked="" type="checkbox"/> Performance Guarantee Released	_____ date _____	_____ signature _____	
<input type="checkbox"/> Defect Guarantee Submitted	_____ submitted date _____	_____ amount _____	_____ expiration date _____

Commercial St - 230

Zoning Division
Marge Schmuckal
Zoning Administrator



Department of Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND

TO: Bill Needleman, ~~Planning~~ Planning Division
FROM: Marge Schmuckal, ~~Zoning~~ Zoning Administration
SUBJECT: 1162 sq.ft addition to existing restaurant at 230 Commercial Street - 031-L-038 - WCZ
DATE: November 3, 1999

I am in receipt of the application for Sapporo's Restaurant addition at 230 Commercial Street. This building is located in the WCZ Zone. The existing structure is conforming as to use. However, no where in the permitted uses of section 14-314 does it allow for a newly constructed addition to have the use of restaurant. Section 14-314(5) only allows a restaurant use in a structure that existed as of January 4, 1993. This is a new addition and was not in existence as of January 4, 1993. It is my interpretation that this use is not allowable in this zone.

Please note that the applicant may exercise their right of appeal for a use variance if they wish. This is a very difficult appeal to be granted by the Zoning Board of Appeals because of the criteria placed upon the decision making process. The applicant would have a 30 day window of opportunity from the date of this memo in which to appeal. The paperwork explaining the Board of Appeals application process is available in our office in room 315. Nadine Williamson or myself can supply that paperwork at any time.

cc: Mark Adelson, Housing & Neighborhood Services
Alex Jaegerman, Chief Planner
Joe Gray, Jr., Dir. of Planning & Urban Dev.
George Campbell, City Councilor
Charlie Lane, Corporation Counsel
Mr. Charles A. Poole, Proprietors of Union Wharf, PO Box 7467, Portland, ME 04112
file

**Site Review Pre-Application
Multi-Family/Attached Single Family Dwellings/Two-Family Dwelling
or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the Information below for Site Plan Review

NOTEIf you or the property owner owes real estate or personal property taxes or user charges on ANY PROPERTY within the City, payment arrangements must be made before permits of any kind are accepted.**

PROPRIETORS OF UNION WHARF 10/25/99

Applicant
36 UNION WHARF, PO Box 7467, PORTLAND, ME 04112

Application Date
230 COMM. ST. ADDITION

Applicant's Mailing Address
CHARLES A. POOLE, VICE PRES. & MANAGER

Project Name/Description
230 COMMERCIAL ST., PORTLAND, MAINE 04101

Consultant/Agent
772-8160 TEL, 772-8471 - FAX

Address Of Proposed Site

Applicant/Agent Daytime telephone and FAX

Assessor's Reference, Chart#, Block, Lot# 031-L-038

Proposed Development (Check all that apply) New Building Building Addition Change of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Other(Specify) _____

1,162 SQ. FT.

4+ ACRES**

WCØ

Proposed Building Square Footage and /or # of Units

Acreage of Site

Zoning

** THE LAND THIS ADDITION WILL BE BUILT ON IS A PART OF UNION WHARF, COMM. ST. END.
You must Include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) 7 sets of Site Plan packages containing the information found in the attached sample plans and checklist.

(Section 14-522 of the Zoning Ordinance outlines the process, copies are available for review at the counter, photocopies are \$ 0.25 per page)

I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record 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 an approval for the proposed project or use 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 approval at any reasonable hour to enforce the provisions of the codes applicable to this approval.

Signature of applicant: <u>Charles A. Poole</u>	Date: <u>10/25/99</u>
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Site Review Fee: Major \$500.00 Minor 400.00

This application is for site review ONLY, a Building Permit application and associated fees will be required prior to construction.

**AutoCAD digital format Final plans depicting
the as-built condition must be filed with this
office prior to closure.**



Certificate of Occupancy

LOCATION 230 Commercial Street CBL: 031-L-135

Issued to Properties of Union Wharf

Date of Issue February 12, 2001

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 001154, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

1162 sf addition

APPROVED OCCUPANCY

Commercial Food Service
Use Group: A3
Type: 5B
Bocm 1999

Limiting Conditions:

None

This certificate supersedes certificate issued

Approved:

2/12/01 *Howard M. Mackley*
(Date) Inspector

[Signature]
Inspector of Buildings

02/14/01
[Handwritten initials]

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.