



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

*Jeff Levine, AICP, Director  
Marge Schmuckal, Zoning Administrator*

January 25, 2013

Bernstein Shur  
100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029  
Attn: Tabatha J. Berube

RE: 423-445 Fore Street and 27-31 Union Street – 032-I-042 (the “Property”)

Dear Ms. Berube,

I am in receipt of your request for a determination letter concerning the Property. The Property is located in the B-3 Downtown Business Zone with an Entertainment Overlay Zone and a PAD (Pedestrian Activities District) Overlay Zone. The current use is a surface parking lot which is a listed permitted use that is legally nonconforming for setbacks. To the best of my knowledge the Property is in compliance with all Municipal zoning, and land use codes, regulations and ordinances. I am not aware of any pending or contemplated legal actions regarding the existing surface parking lot.

The development of a hotel with retail and restaurant uses on the Property are listed permitted uses in the B-3 Zone and allowable under all applicable Municipal codes, regulations and ordinances. The proposed hotel with retail and restaurant uses has been reviewed under a required Planning Site Plan review process. A foundation permit is pending and near issuing by Inspection Services.

If there are any questions, please feel free to contact me regarding this matter at (207) 874-8695.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

# BERNSTEIN SHUR

COUNSELORS AT LAW

207-774-1200 main  
207-774-1127 facsimile  
bernsteinshur.com

100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029

Tabatha J. Berube  
Paralegal  
207 228-7377 direct  
tberube@bernsteinshur.com

January 11, 2013

Via Hand Delivery

Marge Schmuckal  
Assistant Chief of Inspection Services  
Zoning Administrator  
Planning & Urban Development  
CITY OF PORTLAND  
389 Congress Street  
Portland, ME 04101

Re: Cow Plaza Hotel LLC  
29 Union Street  
32-I-42

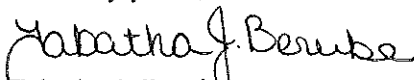
RECEIVED  
JAN 11 2013  
Dept. of Building Inspections  
City of Portland Maine

Dear Marge:

Please issue a letter confirming that the above-referenced property is located in the B3 Zone, that its current use as a surface parking lot is a permitted use, that it is in compliance with all applicable Municipal zoning and land-use codes, regulations and ordinances, that there currently are no pending or threatened violations against it, and that the development and operation of a hotel on the property is permitted in the B3 Zone and under all applicable Municipal codes, regulations and ordinances.

Enclosed please find our check in the amount of \$150 to cover the fee related to issuing this letter. Thank you very much for your assistance in this matter. Please call me if you have any questions.

Sincerely yours,

  
Tabatha J. Berube

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

[City](#) [Home](#) [Departments](#) [City Council](#) [E-Services](#) [Calendar](#) [Jobs](#)

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

**Current Owner Information:**

**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

<b>CBL</b>	032 I042001
<b>Land Use Type</b>	PARKING LOTS
<b>Property Location</b>	29 UNION ST
<b>Owner Information</b>	COW PLAZA HOTEL LLC 100 COMMERCIAL ST PORTLAND ME 04101
<b>Book and Page</b>	29745/082
<b>Legal Description</b>	032-I-42 FORE ST 423-445 UNION ST 27-31 19130 SF
<b>Acres</b>	0.4392

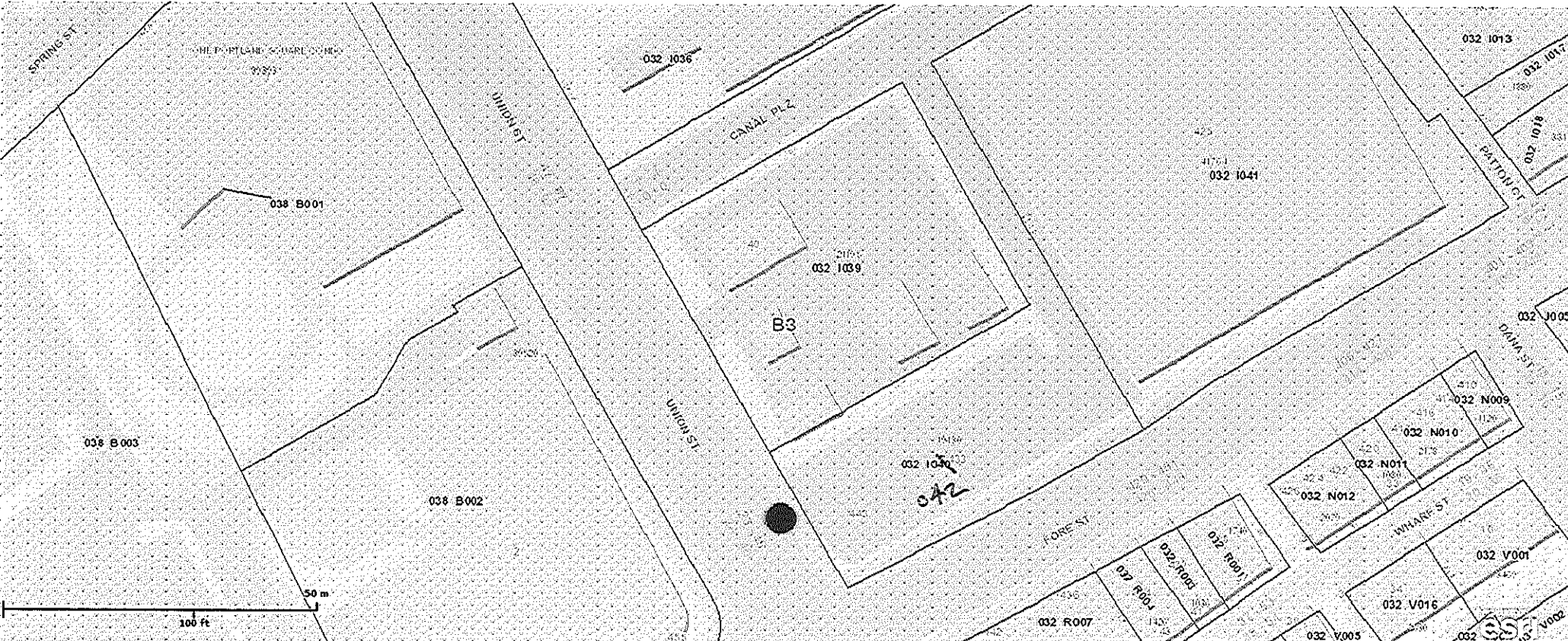
**Current Assessed Valuation:**

**TAX ACCT NO.** ADODB.Field  
error  
'800a0bcd'

Either BOF or EOF is True, or the current record has been deleted. Requested operation requires a current record.

/searchdetail.asp,  
line 194

# Union & Fore



**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**  
 389 Congress Street  
 Portland, Maine 04101

**RECEIPT OF FEES**

<b>Application No:</b> 0000-1616	<b>Applicant:</b> COW PLAZA HOTEL LLC
<b>Project Name:</b> 29 UNION ST	<b>Location:</b> 29 UNION ST
<b>CBL:</b> 032 I042001	<b>Application Type:</b> Determination Letter
<b>Invoice Date:</b> 01/14/2013	

<b>Previous Balance</b>	-	<b>Payment Received</b>	+	<b>Current Fees</b>	-	<b>Current Payment</b>	=	<b>Total Due</b>	<b>Payment Due Date</b>
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

**Previous Balance** **\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		\$150.00
<b>Total Current Fees:</b>	<b>+</b>	<b>\$150.00</b>
<b>Total Current Payments:</b>	<b>-</b>	<b>\$150.00</b>
<b>Amount Due Now:</b>		<b>\$0.00</b>

**Bill to:** COW PLAZA HOTEL LLC  
 100 COMMERCIAL ST  
 PORTLAND, ME 04101

**CBL 032 I042001**  
**Application No:** 0000-1616  
**Invoice Date:** 01/14/2013  
**Invoice No:** 39758  
**Total Amt Due:** \$0.00  
**Payment Amount:** \$150.00

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.



Copyright 2011 Esri. All rights reserved. Tue Jul 3 2012 04:16:32 PM.

New lot carved off for the Hotel -  
I Division only