

August 25, 2016

Barbara Barhydt  
Development Review Services Coordinator  
City of Portland, Planning Department  
389 Congress Street  
Portland ME 04101



Re: 2009 ADA/ MHRC & FHA Code Review  
**Station 415**  
415 Cumberland Avenue  
Portland ME 04101

The information in this document has been obtained through discussions with Barbara Archer Hirsch, Commission Counsel, Maine Human rights commission and Jill Johanning, Architect, Access Design/Alpha One. Both Barbara Archer Hirsch and Jill Johanning have verified our understanding of the following information. Jill Johanning requested that anyone with questions contact her at [accessdesignme.org](http://accessdesignme.org) or 207.619.9281.

The building at 415 Cumberland Avenue (Station 415) will be renovated to include offices (majority of space) and 4 apartments. The apartments will be limited to a rear 1984 addition to the building. This 1984 addition area has been used as offices previously.

We have received three replacement cost quotes for the building, the lowest of which is 2.2 million dollars. The renovation costs will not exceed 75% of the 2.2 million replacement cost. No public funds of any sort will be used for this project.

An elevator will be added to the commercial part of the building, but that elevator will not service the apartments. The commercial part of the building, the public accommodation, will comply with ADA standards.

MHRA - This building project is not covered under the special multi-family housing requirements of the MHRA. This project does not meet the definition of "new construction" and therefore the MHRA's section for privately funded multi-family housing does not apply.

#### FHA

The Fair Housing Act only applies to buildings with first occupancy after March 13, 1991 and therefore does not apply to this project.

#### ADA

ADA standards do not apply to privately owned and privately funded multi-family housing.

#### PARKING

The office part of the project will comply with ADA as a public accommodation; however, no parking for anyone using the public accommodation will be provided, therefore the provision of accessible parking space is not required. The ADA standards do not apply to the residences.

### ALPHAarchitects

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2009 IEBC 2<sup>nd</sup> Edition

According to the 2009 IEBC the only trigger that would require providing accessible parking would be section 912.8.2 Complete Change of Occupancy which states that if we changed the entire use/occupancy of the existing structure, we would have to provide accessible parking and loading spaces on site. We are proposing a change of occupancy only in the existing rear addition of the building with a change from B-Business to R-2 Residential (4 units), the front portion of the building will remain unchanged (B-Business) thus, no accessible parking spaces will be required.

Respectfully submitted,  
**ALPHAarchitects**

A handwritten signature in black ink that reads "Mark Sengelmann". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mark Sengelmann, NCARB  
Maine Licensed Architect

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