

Comments submitted 7/16/13

City of Portland
Development Review Application
Planning Division Transmittal Form

received 6/25/13

Application Number: 2013-148 Application Date: 06/19/2013
CBL: 036 H019001 ^{to 0120} Application Type: Level III Site Plan 50,000 - 100,000
Project Name: 409 Cumberland Apartments
Address: 67 FOREST AVE
Project Description: Site Plan and Subdivision for - 57 Unit mixed affordable and market rate rental apartments.
Zoning: C38

Other Required Reviews:

<input type="checkbox"/> Traffic Movement	<input type="checkbox"/> 14-403 Streets	<input type="checkbox"/> Housing Replacement
<input type="checkbox"/> Storm Water	# Units _____	<input type="checkbox"/> Historic Preservation
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Other:
# Lots _____	<input type="checkbox"/> Shoreland	
<input type="checkbox"/> Site Location	<input type="checkbox"/> Design Review	
# Unit _____		

Distribution List:

Planner	Caitlin Cameron	Parking	John Peverada
Zoning	Marge Schmuckal	Design Review	Alex Jaegerman
Traffic Engineer	Tom Errico	Corporation Counsel	Danielle West-Chuhta
Civil Engineer	David Sensus	Sanitary Sewer	John Emerson
Fire Department	Chris Pirone	Inspections	Tammy Munson
City Arborist	Jeff Tarling	Historic Preservation	Deb Andrews
Engineering	David Margolis-Pineo	DRC Coordinator	Phil DiPierro
		Outside Agency	

Comments needed by Wednesday, July 3, 2013

MEMORANDUM

To: FILE
From: Caitlin Cameron
Subject: Application ID: 2013-148
Date: 7/16/2013

Comments Submitted by: Marge Schmuckal/Zoning on 7/16/2013

This project is for 57 new apartments in a new structure. The property is proposed to be rezoned to allow a portion of the lot to remain in an R-6 Zone. I am awaiting confirmation of the Council approval of the zone change. The primary underlying zone is B-3 which allows residential dwelling units. The project is a site plan review and a subdivision review.

The building is primarily located in the B-3 zone. The B-3 requirements are being met except for the street wall build to line (14-220(c) requirement which the Planning Board can allow a further setback than 5 feet that is needed off Mechanic Street.

I also have not have the ability to view the building elevations for compliance. The maximum building height according to the Downtown height overlay map is 85 feet. The given height is 60.5 feet which would be in compliance. There is also a minimum building height in the B-3 zone which is 35 feet. The given lowest building height is 47 feet which is in compliance.

This project is also showing that the new building will be over 50,000 sq ft in floor area. Therefore the parking requirements for the project are determined by the Planning Board.

Separate permits are required for the construction of the project after site plan/ subdivision approvals. Separate permits are also required for all HVAC equipment. All such equipment shall meet the maximum noise requirements of the B-3 Zone. At time of application, all dBA information shall be included for compliance checks.

Marge Schmuckal
Zoning Administrator

Applicant:

Date: 7/16/13

Address: 409 Cumberland Ave
Dr. Faust & Co. Mechanical

C-B-L: 36-H-18-19

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New side Dev.

Zone Location - B-3 prime; R-6 (recently revised) not in PAD

Interior or corner lot -

Proposed Use/Work - Construct 57 New Dg -

Sewage Disposal - City

Lot Street Frontage - 157m

Front Yard - N/A

MAX setback -

Rear Yard -

Side Yard - N/A

Projections -

Width of Lot - None req.

Height - 85 ft per Downtown height overlay MAP - 60.5' given
max Bldg Height - 35 ft - 47' given

Lot Area - B-3 - No min - 18000 sq ft given

Lot Coverage (Impervious Surface) B-3, 100% of

Area per Family - B-3 where Bldg is located does not have an AREA/DF

Off-street Parking - 51,926 sq ft Bldg - PB determines the parking ext. requirements
12 parking spaces under Bldg to

Loading Bays -

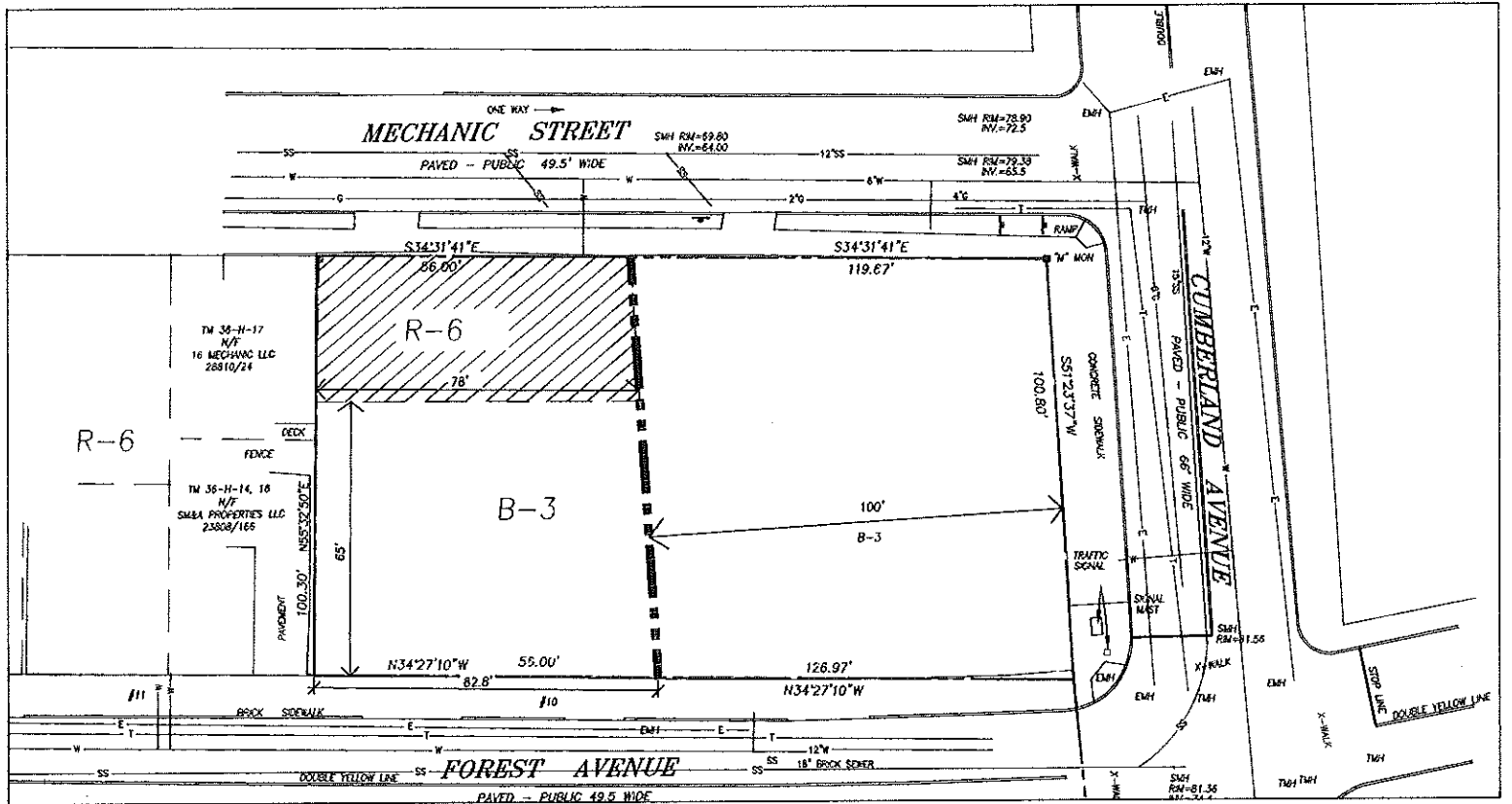
Site Plan - # 2013-148 in Subdiv.

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 13 - Zone C -

MAX Street wall height (per height overlay MAP) = 65'

14-220(c) - Street wall built to line - within 5 ft - allows PB further setbacks



CUMBERLAND 409 ZONING

COMPLIANCE WITH APPLICABLE ZONING REQUIREMENTS

Revised June 24, 2013

The proposed development will span the B-3 and R-6 zones and intends to complement the surrounding B-3 environment and provide an appropriate transition from the Downtown Business Zone into the Residential zone. The mass of the building will be located within the B-3 zone along Forest Avenue and Cumberland Avenue and help to unify the existing character of development along the Forest Avenue corridor. The building will reflect a similar scale as the adjacent large scale buildings along Cumberland and Forest Avenues. Four floors of the building will be visible along Cumberland Avenue and, as the site slopes down at the north end of the property; five stories are visible along Forest Avenue. Within the B-3 zone, the maximum height of the proposed building is 60'-9". The intent of the development is to provide much needed housing within the peninsula, create a welcome street presence on a currently underutilized property and provide a space that interacts with the surrounding community. Within the B-3 zone, the building will be constructed within 5 feet of the property line with minor deviations to provide architectural relief and outdoor living space. The main building entrance will be off of Cumberland Avenue and provide an attractive street presence that brings vibrancy to this portion of the city. Parking within the B-3 zone portion of the site is contained in an enclosed parking garage. Within the R-6 portion of the site, a six space surface parking lot is proposed.

The proposed development is in compliance with the applicable zoning requirements set-forth the Portland Land Use Ordinance conforming to provisions of the Site Plan and Subdivision Regulations and the zoning provisions of the B3 and R6 designated districts with the following exception.

The applicant is requesting a partial relief from Sec 14-220 Dimensional Requirements c. (B3 District) Street Wall Build-to Line in accordance with provisions of Sec 14-526 (d) 9. The applicant is requesting to increase the street wall build line for a portion of the building along the Mechanic Street side of the building. The maximum setback proposed is 36 feet, for a length of 43 feet of frontage along Mechanic Street. The request is based upon efficient, functional design of the building that precludes building to the street line along Mechanic Street. The width of the building, 56 feet, accommodates for a double loaded corridor with units on each side leaving a width of 36 feet to the Mechanic Street property line. Improvements within the area between the building and the street line provide for outdoor resident open space and serves as a second means of egress and service for the building. We believe the benefit of providing the open space to be an asset to the development. In addition, relief is requested along Forest Avenue for a portion of the building that steps back 8 feet from the property line for a length of 95 feet. This break in the building allows some architectural interest and provides additional space for landscape treatment to enhance the pedestrian experience.

A zoning plan and exhibit are attached for your reference.

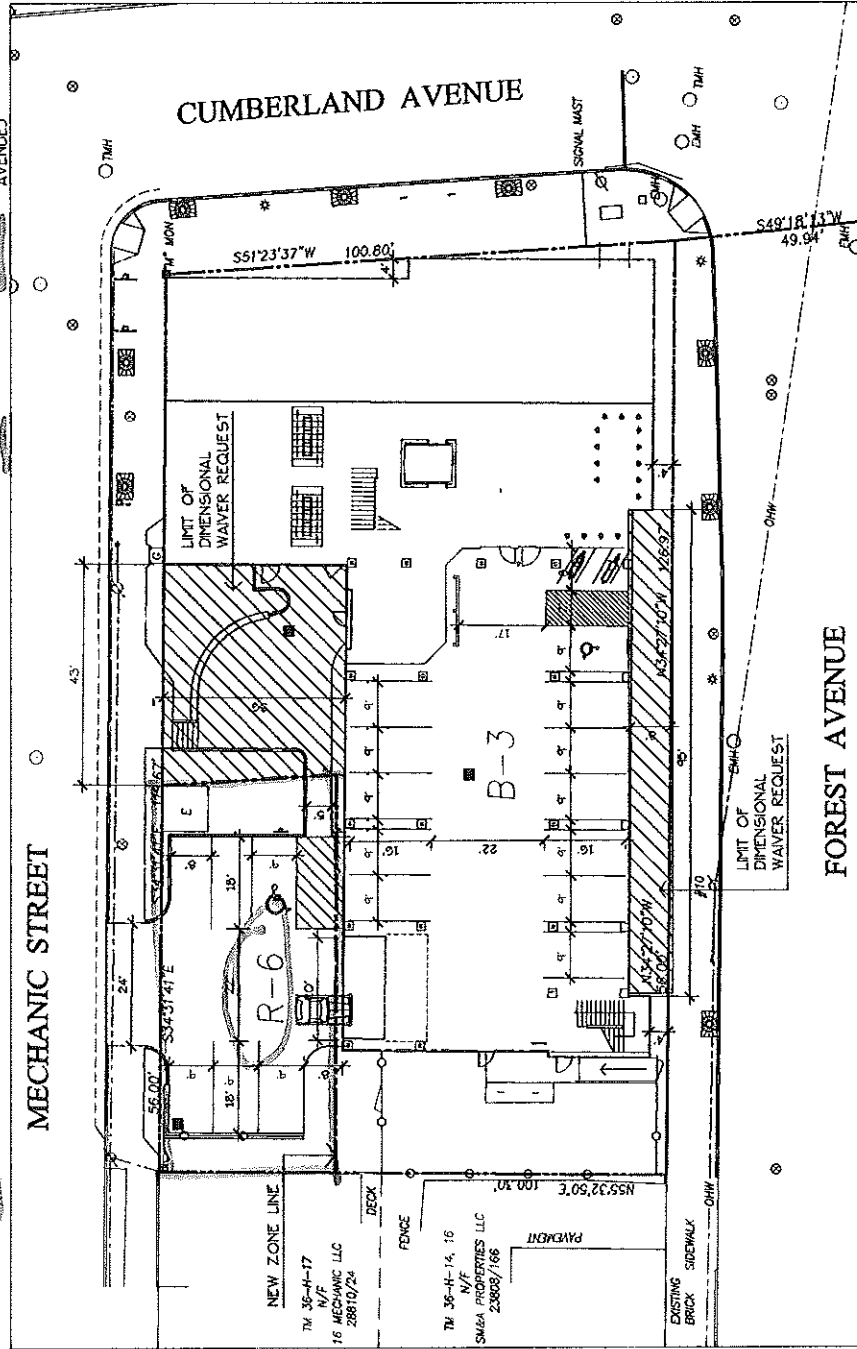
Housing Replacement Ordinance

Avesta intends to use a portion of the 57 apartment units created at 409 Cumberland Avenue to offset the 16 beds they plan to eliminate as part of the demolition and redevelopment of the Lighthouse Shelter site at 65 Elm Street.

It is our understanding 409 Cumberland is currently recognized as a vacant lot and that Avesta is not responsible for the replacement of previous housing units lost during the demolition for the unrealized Waterview Condominiums. We request an interpretation of the housing ordinance to confirm that we are not responsible for replacing these housing units.

1. SPACE AND BULK STANDARDS:

	REQUIRED R-6 ZONE	PROPOSED R-6 ZONE	REQUIRED B-3 ZONE	PROPOSED B-3 ZONE
MINIMUM LOT SIZE:	4,500	SEE B-3	NONE	18,011 SF
MINIMUM STREET FRONTAGE:	40 FEET	SEE B-3	15 FEET	100.8 FEET (CUMBERLAND AVENUE)
FRONT YARD SETBACK:	10 FEET	N/A	NONE	-
REAR YARD SETBACK:	20 FEET	N/A	NONE	-
SIDE YARD SETBACK:	10 FEET	N/A	NONE	-
MAXIMUM LOT COVERAGE:	40%	78 FEET	100%	81%
MINIMUM LOT WIDTH:	50 FEET	N/A	85 FEET	100 FEET
MAXIMUM HEIGHT OF STRUCTURES:	45 FEET	N/A	N/A	60.5 FEET
MAXIMUM RESIDENTIAL DENSITY:	1,200 SF/UNIT	N/A	N/A	27 UNITS
STREET WALL BUILD-TO LINE:			WITHIN 5 FEET	30 FEET
MAXIMUM LENGTH UNDIFFERENTIATED WALL:			30 FEET	47 FEET (CUMBERLAND AVENUE)
MINIMUM BUILDING HEIGHT:			35 FEET	



409 CUMBERLAND ZONING

B-3 EXHIBIT

FIRE DEPARTMENT CHECKLIST

1. Name, address, telephone number of applicant

Avesta 409 Cumberland, LP
307 Cumberland Avenue
Portland, Maine 04101
Contact: Seth Parker
Phone: 207.553.7777

2. Name, address, telephone number of architect

CWS Architects
434 Cumberland Avenue
Portland, Maine 04101
Contact: Ben Walter
Phone: 207.774.4441

3. Proposed uses of any structures [NFPA and IBC classification]

IBC: R-2 Apartments; A-2 Assembly (accessory): Mixed Occupancies
S-2 Storage (Parking Garage): Separated Occupancy
NFPA: Residential – New Apartment Building; New Assembly < 300:
Mixed Occupancies
New Storage (Parking): Separated Occupancy

4. Square footage of all structures [total and per story]

Lower Level	8,418 SF
First Floor:	10,877 SF
Second Floor:	10,877 SF
Third Floor:	10,877 SF
<u>Fourth Floor:</u>	<u>10,877 SF</u>
Total:	51,926 SF

5. Elevation of all structures

Building Height is 54.2 feet as measured by IBC definitions. Excludes rooftop penthouses including roof elevator and stair access and greenhouse structure.

COMPLIANCE WITH APPLICABLE ZONING REQUIREMENTS

The proposed development is in compliance with the applicable zoning requirements set-forth the Portland Land Use Ordinance conforming to provisions of the Site Plan and Subdivision Regulations and the zoning provisions of the B3 and R6 designated districts with the following exception. *no break do*

The applicant is requesting a partial relief from Sec 14-220 Dimensional Requirements c. (B3 District) Street Wall Build-to Line in accordance with provisions of Sec 14-526 (d) 9. The applicant is requesting to increase the street wall build line for a portion of the building along the Mechanic Street side of the building. The request is based upon functional design of the building that precludes building to the street line along Mechanic Street. The width of the building, 56 feet, accommodates for a double loaded corridor with units on each side leaving a width of 37 feet to the Mechanic Street property line. Improvements within the area between the building and the street line provide for outdoor resident open space as well as provides a second means of egress and service for the building. We believe the benefit of providing the open space to be an asset to the development.

409 CUMBERLAND AVENUE – ARCHITECTURAL NARRATIVE

New Apartment Building – June 18, 2013

409 Cumberland Avenue, Portland, Maine

Development Overview

The redevelopment this site from a parking use since 2005 to a medium-density urban apartment building will significantly restore this portion of the Cumberland Avenue corridor with one of its former vital components – residential density. The new building structure will consist of new efficiency, one bedroom and two bedroom units that are designed to accommodate the needs of urban residents of moderate income who are looking for an opportunity to live within Portland's newest emerging healthy environmentally conscious facilities. The units themselves are designed to be multi-functional and support both the residents living and lifestyle needs. The common spaces in the building are designed to substantially integrate a healthful lifestyle within a residential community. ~~Programmatically,~~ much of the upper floors (one through four) will be primarily residential in use: 57 apartments. The entry portion of the lower floor will primarily consist of spaces to support healthful living within the broader community. The remainder of the first floor and lower level spaces will support the residents with common areas, mail, waste management, lobbies and parking for multiple vehicle types (cars, motor-scooters and bicycles).

Though Residential in use, at the street level the building's plan and detailing are designed to promote a vibrant, commercial character with traditional walk-up street access to public and semi-public spaces that can be open to the public during programmed or regularly scheduled events, such as healthy cooking classes and educational opportunities. Specifically, when accessing the building from Cumberland Avenue, the building's main entrance is flanked by a large expanse of clear storefront glazing promoting a the building's feature gathering spaces. The space will be fitted out with a demonstration kitchen, education center, "coffee shop" character and serve both as a daily community room and as a public gallery that can be opened to the public for resident sponsored events. A resident staffed committee will participate with the building owner and community organizations manage and sponsor events that promote facilities "healthful living" concept.

The building's roof is programmed for use as an "urban rooftop garden farm" that will allow residents and community organizations the opportunity to produce a full expanse of vegetables in a large open garden area and greenhouse. Additionally the rooftop garden farm may incorporate other traditional farm components, such as composting and bee keeping. This space will be a key component to the healthful living concept of the building.

Exterior Design

The design of the exterior of this new building in Portland's upper Bayside district incorporates the many components that define its location, context and use but is also envisioned as a thoroughly contemporary and cutting edge mixed use facility. As such, consideration was given to the following:

Local Context – Multi-story, mixed-use structures with rhythmic fenestration patterns primarily facing built directly abutting to the street and front property line, prominent walk

CWS Architects

Architecture • Planning • Construction Services

434 Cumberland Avenue Portland, Maine 04101
www.CWSarch.com

Phone: (207) 774-4441
Fax: (207) 774-4016

up entrance element that supports a highly visible semi-public, high use space with a "commercial" character.

Twenty-first Century Building – Detailing that clears denotes a structure built in the twenty-first century but respects the urban fabric of its context.

Urban Housing – A building character that celebrates the emerging urban lifestyle that is evolving in Portland. The use of contemporary and somewhat bolder materials and colors will distinguish this building from its historical neighbors and represent the energy and new life of its residence community.

Accordingly, the facades design approach is to meld the site's context into a wholly contemporary composition that both complements its place on Cumberland Avenue and speaks to upper Bayside's renaissance as densely populated urban village. The building is designed with a contemporary simplicity and clean components that both compliment and distinguish itself for its more traditional downtown neighbors. As a contemporary composition, the mid and upper levels are only lightly distinguished from the building defining character elements. While the base of the building is strong and the roofline termination light, they are both respectfully of the buildings overall composition.

B-3 Downtown Urban Design Guidelines

Relationship to the Pedestrian Environment – One of the primary objectives of the project's design is to promote the structure's pedestrian level as a vibrant pedestrian experience. The proposed design with its prominent glazed storefront windows opening to the residential entrance and public space will promote a new movement pattern down Cumberland Avenue and Forest Avenue by incorporating transparency, quality materials and contemporary design. The storefront's rhythm is respectful of Portland's historical retail rhythm yet has a contemporary flair. The building's upper fenestration extend this experience up through the normal pedestrian visual range.

Relationship to Existing Development – The redevelopment of this facility will restore the site to its historic context and has been designed to integrate, respect and enhance the quality of the "upper Bayside" experience. Though contemporary in design, the building's form and scale are consistent with the prevailing pattern of development of the neighborhood as its composition is derived details and forms observed in the downtown's eclectic mix of structures.

Roof Top Appurtenances – In addition to the urban rooftop garden farm outlined above, the roof area will host several building support structures including stairs, elevator, small building exhaust fans and a makeup air unit. These components will be reviewed and detailed to meet the City's noise standards.

Shadow Impact on Open Space – The primary adjacent open space consists of Cumberland Avenue, Forest Avenue and Mechanic Street and a small on-site open space. The

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development's scope is well within the bulk and mass limits for the zone and, thus, shadow impacts will be consistent with any new development permitted in this zone. CWS will provide an interactive shadow model for review by the board.

Wind Impacts - The development's scope is well within the bulk and mass limits for the zone and, thus, wind impacts will be consistent with any new development permitted in this zone.

Signage, Awnings and Canopies – Signage on the building is proposed to be limited to a building identification sign and tenant signs as allowed by the City's ordinance and minor vehicular directional signage at the garage entrance.

Summary

In conclusion, the redevelopment of this property aims to resurrect the property's former developed use to further support the upper Bayside experience. This building will both respect its context and take a step into its future. A twenty-first century approach has been considered to meet the city's B-3 Design Standards, select building materials and detailing approaches and responsibly incorporate the latest in green building technologies.

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Mr. Alexander Jaegerman
and Board Members

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Project Description

The proposed project is for a 57 unit mixed affordable and market rate rental apartments. The gross square footage of the proposed five story building is 51,926 square feet with a 10,877 square foot building footprint. The building will cover approximately 60% of the site, with surface parking for six vehicles and a landscaped courtyard for the residence located on the north side of the building with access from Mechanic Street. In addition, there will be a small enclosed grassed open area along the north westerly side of the building for residents use. The project is further described in the following application.

Submission

This submission includes the following information:

1. Cover letter, dated June 18, 2013
2. Site Plan and Subdivision Application & Checklist
3. Application Fee: \$2,568.75 (Per Sec 14-486 Affordable Housing Reduction)
4. Booklet of required exhibits
5. One set of plans (24" x 36")
6. One set of plans (11"x17")

We trust that the Planning Board will consider this a complete application for a workshop meeting. If you desire any additional information, please do not hesitate to contact us. We look forward to our meeting with the Board at its earliest convenience.

Sincerely,
Mitchell & Associates

Robert B. Metcalf, Principal
Maine Licensed Landscape Architect

Enclosures

cc: Seth Parker
Ben Walter

FB
reviews
parking
req.

PROJECT DATA

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

Total Area of Site	18,011 sq. ft.
Proposed Total Disturbed Area of the Site	18,011 sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)	
Impervious Surface Area	
Impervious Area (Existing)	18,011 sq. ft.
Impervious Area (Proposed)	14,507 sq. ft.
Building Ground Floor Area and Total Floor Area	
Building Footprint (Existing)	N/A sq. ft.
Building Footprint (Proposed)	10,877 sq. ft.
Floor Area (Existing)	N/A sq. ft.
Floor Area (Proposed)	51,926 sq. ft.
Zoning	
Existing	R-6 & B-3
Proposed, if applicable (Recent Amended)	R-6 & B-3
Land Use	
Existing	Vacant Gravel Lot
Proposed	57 unit apartment building
Residential, if applicable	
Residential Units (Existing)	N/A
Residential Units (Proposed)	57 units
# Number of Lots (Proposed)	1
Affordable Housing Units (Proposed)	46 units
Efficiency Units (Proposed)	21 units
One-Bedroom Units (Proposed)	32 units
Two-Bedroom Units (Proposed)	4 units
Three-Bedroom Units (Proposed)	NA-
Parking Spaces	
Parking Spaces (Existing)	N/A
Parking Spaces (Proposed)	18 spaces
Handicapped Spaces (Proposed)	2 HC spaces
Bicycle Parking Spaces	
Bicycle Spaces (Existing)	N/A
Bicycle Spaces (Proposed)	28 bicycle spaces
Estimated Cost of Project	10.2 million



Memorandum
Department of Planning and Urban Development
Pre-Application Meeting Request

No Bldg or Fire Present

To request a pre-application meeting please fill out the form below with as much detail as possible. Return the form along with any electronic drawings or supporting documentation via e-mail to Desiree Kelly, dmk@portlandmaine.gov. Two 30 minute meetings will be scheduled each Wednesday from 12:00-1:00 p.m. in Room 209, 2nd Floor of City Hall. These meetings are by appointment only and can be scheduled by Desiree Kelly at the e-mail address above or by telephone 207-874-8720.

Planning Approved zone

35' may height		Contact Information	change - Needs to go to
Name:	Bob Metcalf		
E-Mail Address:	rmetcalf@mitchellassociates.biz		
Phone:	774-4427		

Dem on Street on cooking on 1st floor

Proposed Project Information		Discussed NOT A
Chart, Block, Lot (s)	36-H-18 & 19	
Address	409 Cumberland Avenue	
Current Use	Vacant / Gravel Parking Lot	
Proposed Use	Apartment Building	
Lot Size	18,011 SF	
New Building or Addition Sq. Ft.	10,100 SF foot print	
New impervious surface area	~16,000 SF	

Commercial Kitchen

18 pkg specs to be shown

Brief description of proposed project:

The project includes a 57 unit apartment building comprised of affordable and market rate units.

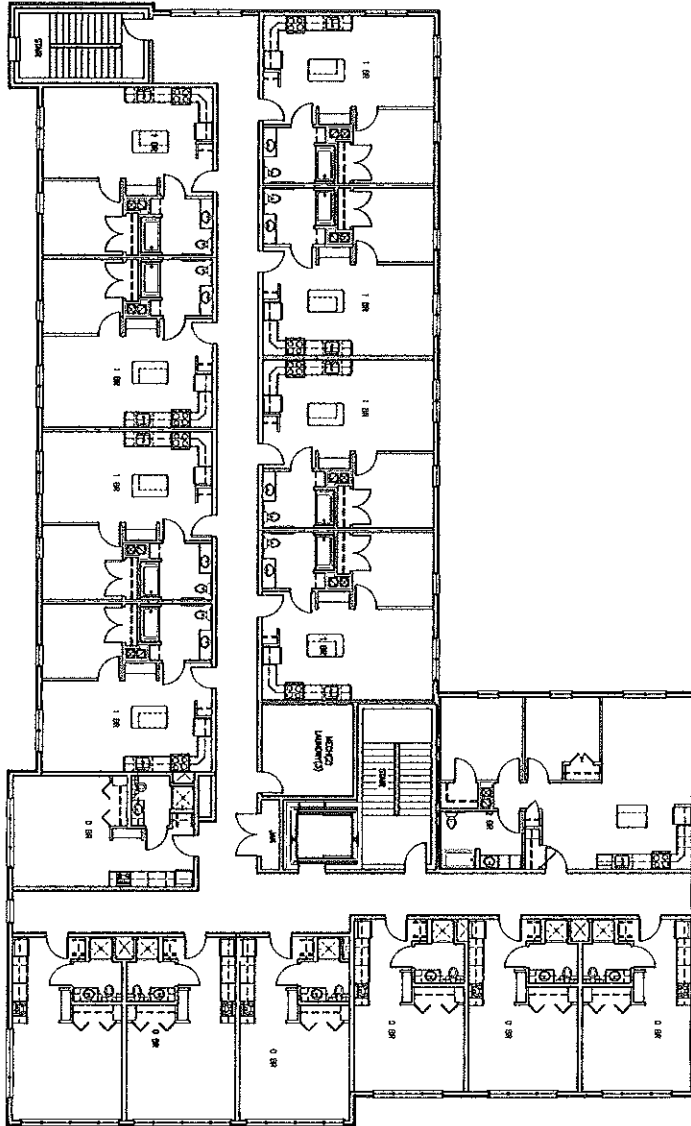
The building includes a below grade parking garage with 12 parking spaces and 6 surface parking spaces.

For Office Use Only	Date:	Time:
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pre loading & site plan Best Management Practices

A5 SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

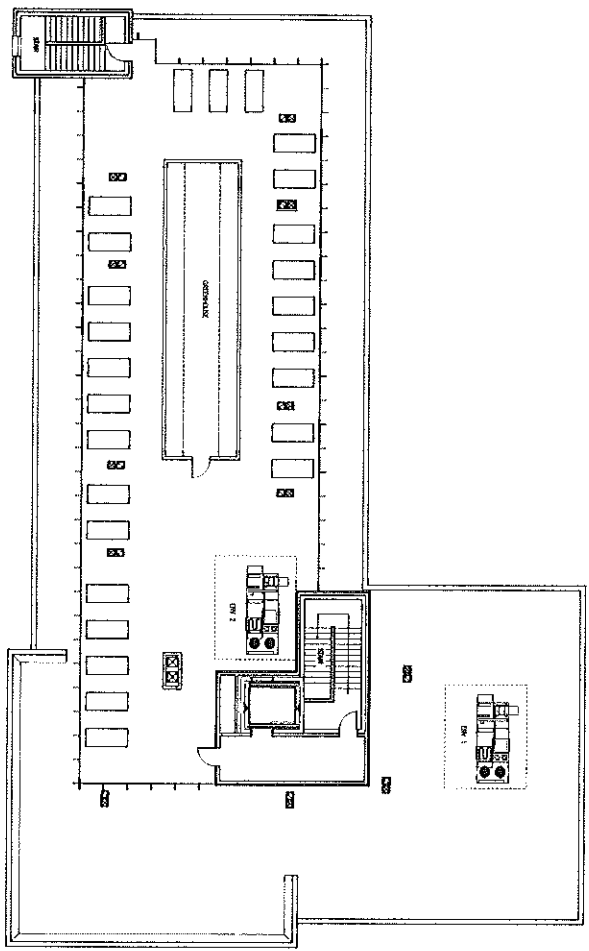


A1.02

SCALE: AS NOTED
DATE: 04/17/2013
ISSUED FOR REVIEW - 04/17/2013

REVISION DESCRIPTION	DATE	DRAWING TITLE	PROJECT TITLE	OWNER / DEVELOPER
		SECOND FLOOR PLAN	PROPOSAL FOR 409 CUMBERLAND AVENUE PORTLAND ME	AVESTA HOUSING
		CWS PROJ. NO.: 11.449	CUMBERLAND AVENUE PORTLAND ME	CUMBERLAND AVENUE PORTLAND ME





A1 ROOF PLAN
 SCALE: 3/8" = 1'-0"

A1.05
 SCALE: AS SHOWN
 DATE: 06/17/2013
 ISSUED FOR REVIEW - 04/20/13

REVISION DESCRIPTION	DATE	DRAWING TITLE	PROJECT TITLE	OWNER / DEVELOPER
		ROOF PLAN	PROPOSAL FOR 409 CUMBERLAND AVENUE PORTLAND ME	AVESTA HOUSING
		CWS PROJ. NO.: 11.643	CUMBERLAND AVENUE PORTLAND ME	CUMBERLAND AVENUE PORTLAND ME

