

Comments Submitted 5/3/13

Comments Submitted 6/19/13 City of Portland

4/29/13

Comments 7/10/13 Development Review Application

Comments 7/19/13 Planning Division Transmittal Form

Application Number: 2013-098

Application Date: 04/17/2013

CBL: 037 C014100

Application Type: Level III Site Plan Under 50,000 sq f

Project Name: Office to Apartment Conversion

Address: 531 CONGRESS ST

Project Description: Conversion of office space to ~~X~~ apartments

6/ 3 New units proposed on the 4th floor

Zoning: B3 yes

9+6=15

Other Required Reviews:

- Traffic Movement
- Storm Water
- Subdivision
 - # Lots 9
 - # Unit _____
- Site Location
- 14-403 Streets
- # Units _____
- Flood Plain
- Shoreland
- Design Review

? still offices on the 3rd floor - Never responded

3 New units on the 3rd floor? too

Distribution List:

Planner	Shukria Wiar	Parking	John Peverada
Zoning	Marge Schmuckal	Design Review	Alex Jaegerman
Traffic Engineer	Tom Errico	Corporation Counsel	Danielle West-Chuhta
Civil Engineer	David Senus	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	

537 loft Condominium

Comments needed by 5/6/2013

MEMORANDUM

To: FILE
From: Shukria Wiar
Subject: Application ID: 2013-098
Date: 7/18/2013

Comments Submitted by: Marge Schmuckal/Zoning on 7/18/2013

I reviewed the most current plans uploaded into E-Plan on 7/10/2013. The plans explain the situation much better. There will be 9 new residential condos on the 3rd floor with some office space to be retained. The 4th floor will add 3 new residential condos (eliminating all the existing office space) to the already existing 8 residential condos. Therefore, this project request is for 12 new residential condominiums.

The B-3 zone allows residential uses as stated previously. And again, changes of use within the B-3 zone do not require the applicant to show any more parking than what is available now.

Separate building permits are required for the change of use and construction changes. Any new HVAC systems also require a permit. All HVAC unit shall comply with the maximum noise allowances of the B-3 zone. Any permit submission shall require dBA outputs for the HVAC units.

Marge Schmuckal
Zoning Administrator

MEMORANDUM

To: FILE
From: Shukria Wiar
Subject: Application ID: 2013-098
Date: 7/10/2013

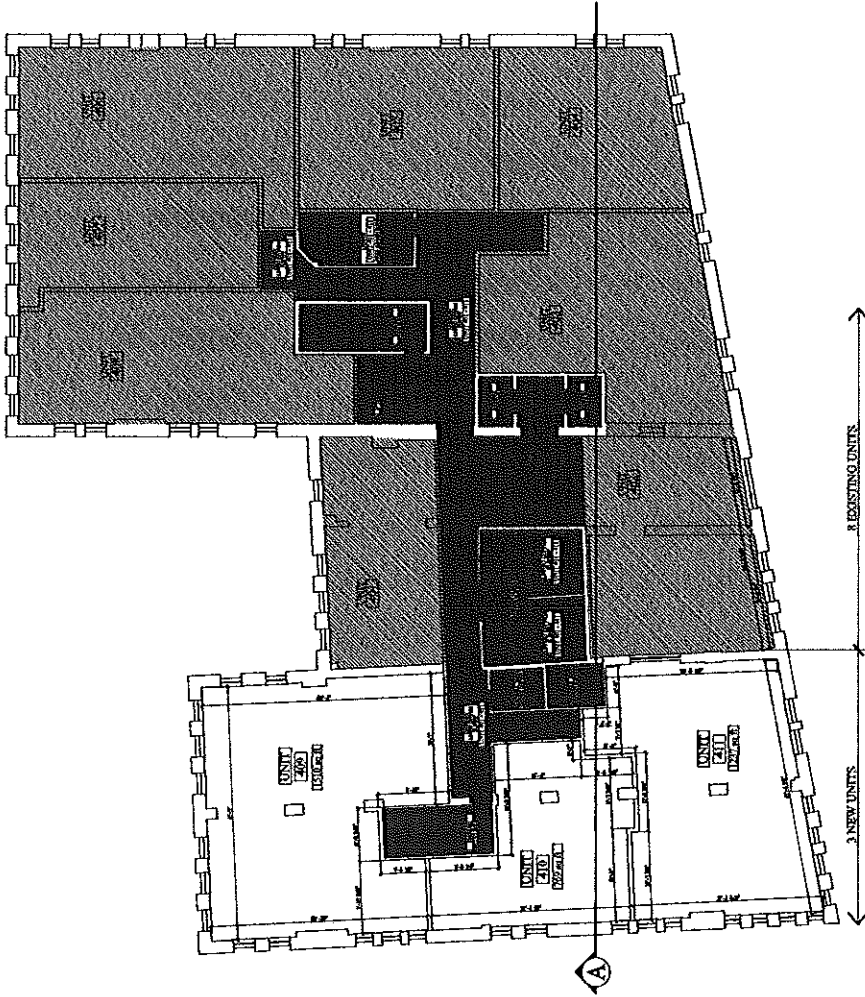
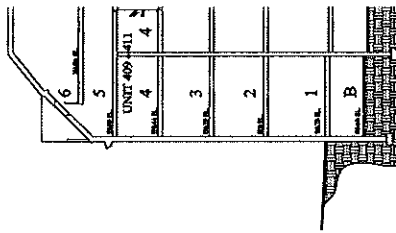
Comments Submitted by: Marge Schmuckal/Zoning on 6/19/2013

There has been some additional information that has been submitted. There has not been any written information that I can find that responds to my original questions. The new plans for the 3rd & 4th floors show that the applicant is now proposing 6 more dwelling units - 3 more on the 3rd floor eliminating any offices and also 3 more on the 4th floor for a total of 15 new dwelling units not 12 as somewhat indicated on a submitted application.

I would like a complete commentary concerning the scope of work that is now being proposed. The answers to our original queries should also be addressed.

Marge Schmuckal
Zoning Administrator

repeated
7/10/13



I do have a question as to the change of use. The narrative says the third floor will be changed from offices to 9 residential dwelling units. Yet the submitted plans show that some office space is to be retained.

Are some offices still to be retained on the third floor?

Yes, for now but probably not in the future.

Also the floor plan submittal is labeled "option B". Is this the final plan or is there an option "A"?

Not sure about this? What is option A and B?

I would also like to confirm the uses in the building. I currently (2011) have that the 1st floor is retail and restaurant uses.

The 1st floor is currently retail, restaurant (Mr. Bagel), and offices (Think Tank)

The 2nd floor is offices.

The US Bankruptcy Court occupies this floor.

The third floor might be offices and 9 new residential.

*9 New under this request
Retaining offices*

The 3rd floor will be 9 residential condo units with some office space (3,000 sf) that will probably be converted into 2 or 3 more residential units

The 4th floor is 8 residential condos.

*+ 3 New under this request -
eliminates
the offices*

The 4th floor is 8 residential condo units along with 3,000 sf of office space.

The 5th and 6th floor are 10 residential condos.

Yes, this is correct.

Comments Submitted by: Shukria Wiar/Planning on 5/8/2013

1. Will these residential units be condos?

Yes

2. If yes, we will need the condo documents, including the Declaration and other associated materials to be submitted for review.

I have spoken to Tom Hanson and he will provide the documents that we need.

2. Will the entire third floor be converted to residential units?

No, but possibly yes in the future. Essentially, we have 13,000 square feet on this floor. For now, we want to take the 10,000 vacant square feet and create 9 residential units. The remaining 3,000 sf is currently occupied by two small law firms. I can see that at some point down the road that these two office spaces will also be converted to residential units. I could be wrong, but I think it is to our advantage to do a preliminary layout of residential units in this current office space now and make part of our application to the city. The reason for this is that we have a limited time frame to create additional units and it is either 10 years from when the first unit was sold or 15 years. Tom will confirm. We have the same exact situation on the 4th floor where we created 8 residential condo units but still have +-3,000 sf of office space. We should probably do a preliminary layout of residential units in this space as well so that they can be converted to residential units at some point in the future. Let me know if I have this concept wrong...

4. Will any of these unit be rented out? If yes, a statement shall be included in each lease for the eight (8) residential units that the potential tenant is leasing an approved condominium unit. This note shall also be documented on the subdivision plat.

Yes, at least initially, all these units will be rented out and not sold. Tom can give me the required language to insert into the lease and can also put it on the subdivision plat.

5. The applicant should request a waiver of the street trees.

If you have a specific letter format, I can put this on my letterhead. Or is it just one sentence, "HEGA Realty LLC requests a waiver of the street tree planting requirement." ?

Comments Submitted by: Marge Schmuckal/Zoning on 5/3/2013

This project is located in a B-3 Business Zone with a Historic Overlay. Residential units are allowable in the B-3 zone. This is a change of use from offices to 9 residential market rate apartments. Changes of uses in the B-3 zone do not require the applicant to show any more parking than what is available now.

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I would also like to confirm the uses in the building. I currently (2011) have that the 1st floor is retail and restaurant uses. The 2nd floor is offices. The third floor might be offices and 9 new residential. The 4th floor is 8 residential condos. The 5th and 6th floor are 10 residential condos.

Marge Schmuckal
Zoning Administrator

Applicant:

Date: 4/22/12

Address: 537 Congress in Casco ME C-B-L: 37-C-14

CHECK-LIST AGAINST ZONING ORDINANCE

Date -

Zone/Location -

Interior or corner lot -

Proposed Use/Work -

convert ^{on 3rd floor} offices to 9 residential ^{? retaining some of facade?} apartment units

Seepage Disposal -

Lot Street Frontage -

Front Yard -

Rear Yard -

Side Yard -

Projections -

Width of Lot -

Height -

Lot Area -

Lot Coverage/ Impervious Surface -

Area per Family -

Off-street Parking -

Tolson St parking lot - 35 cars
change of uses don't require to show parking in Historic

Loading Bays -

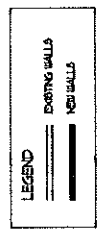
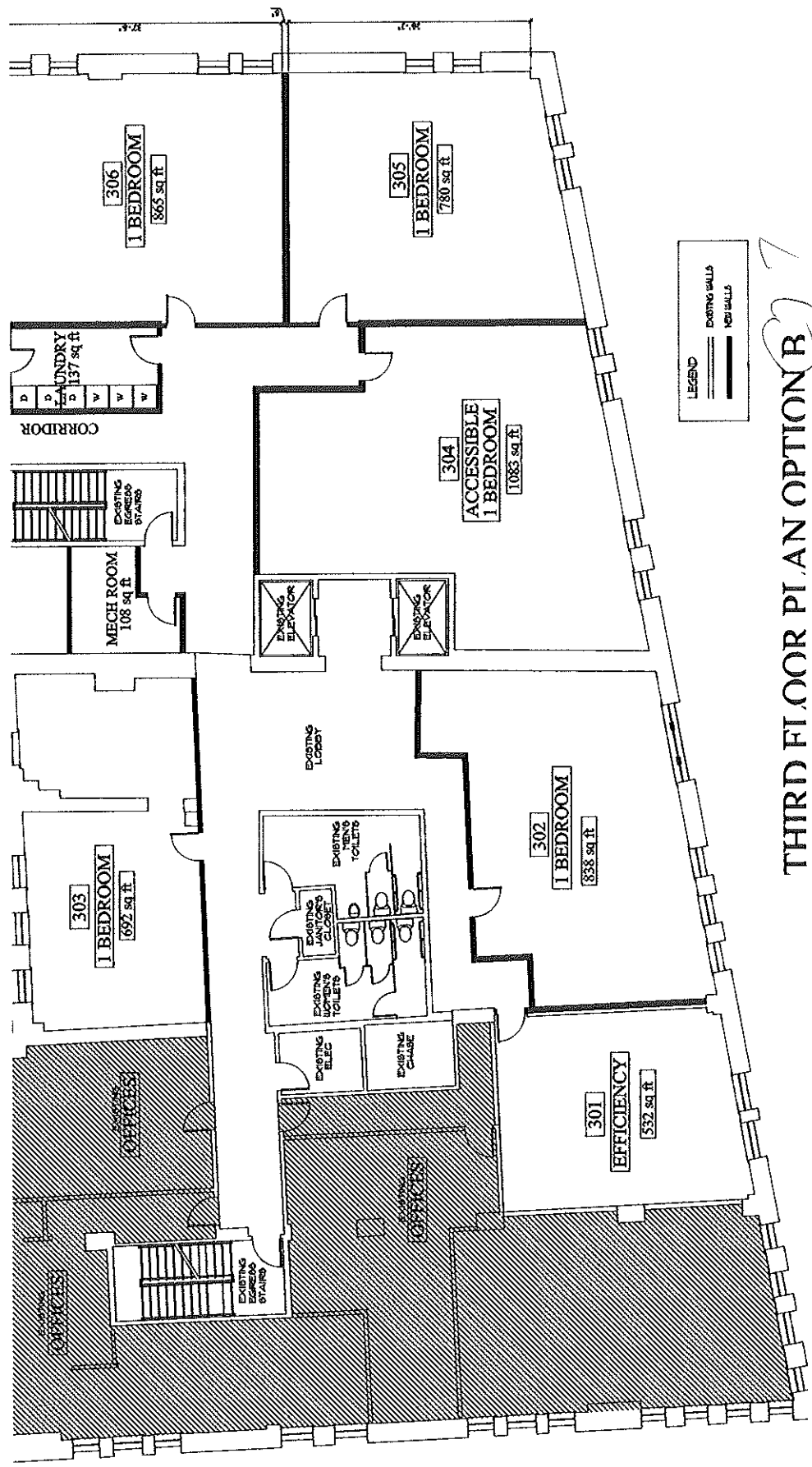
Site Plan - 2013-090

Shoreland Zoning/ Stream Protection -

Flood Plains -

? option B?

to remove



THIRD FLOOR PLAN OPTION B

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8763, FAX: (207) 8716

Job No: 2011-12-2832-CH OF USE	Date Applied: 11/29/2011	CBL: 037- C-014-001	
Location of Construction: 531 CONGRESS ST	Owner Name: HEGA REALTY TRUST	Owner Address: 218 EAST RD HAMPSSTEAD, NH 03841	Phone: 871-1080
Business Name:	Contractor Name: Dirigo Management - Peter Skapinsky	Contractor Address: One City Center, 4 th Floor - Portland, ME 04101	Phone: 871-1080
Lessee/Buyer's Name:	Phone:	Permit Type: BLDG	Zone: B-3
Past Use: 1 st Fl = retail/restaurant; 2 nd , 3 rd , 4 th Flrs are offices; 5 th & 6 th Flrs are 10 residential condos	Proposed Use: Change of use to: 1 st Fl = retail/restaurant; 2 nd & 3 rd Fl are offices; 4 th Fl is 8 new res. condo; 5 th & 6 th fl are 10 res. condos	Cost of Work: \$580,000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/ conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: R-2/B/A Type: 3B IBC-2009 Signature: JMB
Proposed Project Description: vacant office space to 8 residential units (4 th floor)		Signature: <i>[Signature]</i> (58)	Pedestrian Activities District (P.A.D.) 1/13/12
Permit Taken By: Gayle	Zoning Approval		

- 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 informatin may invalidate a building permit and stop all work.

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland <i>N/A</i>	<input type="checkbox"/> Variance	<i>within</i>
<input type="checkbox"/> Wetlands	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Not in Dist or Landmark
<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Does not Require Review
<input checked="" type="checkbox"/> Subdivision <i>for extra work</i>	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Requires Review
<input checked="" type="checkbox"/> Site Plan <i># 2011-354</i>	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved
<input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM	<input type="checkbox"/> Denied	<input type="checkbox"/> Approved w/Conditions
Date: <i>1/16/11</i>	Date:	<input type="checkbox"/> Denied <i>Any extra work requires separate reviews; approved</i>

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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

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Marge Schmuckal
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RECEIVED

JUN 19 2013

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Yes

Dept. of Building Inspections
City of Portland Maine

2. If yes, we will need the condo documents, including the Declaration and other associated materials to be submitted for review.

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Doesn't match with floor plans
2. Will the entire third floor be converted to residential units?

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