



Strengthening a Remarkable City, Building a Community for Life www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

February 25, 2005

Congress Joint Development
C/o Thomas Moulton
10 Dana Street, Suite 400
Portland, ME 04101

37-C-017

RE: Winslow Lofts, 545 Congress Street
Application #2004-0207

Dear Tom:

This letter is a follow up to our conversation earlier this morning.

Condition # ii. under the site plan approval section of the January 28, 2005 approval letter for the above referenced project requires Winslow Lofts to provide "two parking spaces in perpetuity". This letter is to clarify the cause and affect of this condition.

Through the site plan permitting process the project was reviewed by the City's zoning administrator who determined that portions of the Winslow building already in existence at the time of application were not required to provide new off-site parking, even in cases of use change, as per city code §14-221 (b). However, portions of the project considered "new construction" were required to provide off-street parking spaces in conformance with city code §14-332. Whereas proposed new construction was limited to the single residential penthouse unit (rooftop addition), the zoning administrator required the project to provide two (2) off-street parking spaces.

Please be advised that these 2 spaces required by the zoning administrator may be provided off-site through lease agreements from time to time at any surface lot or garage within reasonable walking distance of the project. Any particular lease for those 2 spaces need not be in perpetuity. However, at all times two parking spaces must be secured and provided to service the residential penthouse unit within the building with evidence of such secured spaces available to the City. The requirement for these two spaces should not be confused with the additional 14 spaces which the Board required to be provided for at least 10 years through lease agreement. That limited life requirement was imposed

by the Planning Board under the standards of the Subdivision ordinance. You have provided a lease agreement to the City for the fourteen spaces and have, to date, satisfied this additional condition. Be advised, however, that for the entire 10 years, at least fourteen additional parking spaces must be secured and provided. In other words, should for some reason the ten year lease you have submitted to the City is terminated, the building owner is nonetheless responsible for providing to the City evidence of fourteen spaces secured elsewhere.

If I can be of further assistance, please do not hesitate to contact me.

Best regards,



Ethan Boxer-Macomber
Planner

CC: Sarah Hopkins, Development Review Services Manager
Marge Schmuckal, Zoning Administrator

