

CITY OF PORTLAND, MAINE

PLANNING BOARD

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March 1, 2018

Bianca Garber
Port Property Management
104 Grant Street
Portland, ME 04101

Project Name: Six Units to Ambassador
Address: 37 Casco Street
Applicant: Ambassador, LLC
Planner: Shukria Wiar

Project ID: 2017-144
CBL: 037 D007001

Dear Ms. Garber:

On February 27, 2018, the Planning Board considered Level III application to add six residential apartments within the structure for a total of 92 units. The Planning Board reviewed the proposal for conformance with the standards of the Site Plan and Subdivision. The Planning Board voted unanimously 6-0 (Whited absent) to approve the application with the following conditions as presented below:

Site Plan and Subdivision Review

The Planning Board voted unanimously 6-0 (Whited absent) that the plan is in conformance with the site plan and subdivision standards of the Land Use Code, subject to the following conditions of approval:

1. The recording plat shall be revised noting all zoning information, number of units, waivers, and conditions for review and approval by the Planning Authority prior to recording. All waivers shall be recorded within 90 days of the Planning Board approval.
2. A bicycle rack meeting the city's specifications in the technical manual shall be installed prior to the issuance of a certificate of occupancy. The location of it will be determined on site.
3. A contribution amount of \$2,000 to the City's Street Tree Fund to be substituted for the provision on site of five of the required street trees prior to a building permit.

The approval is based on the submitted plans and the findings related to subdivision review standards as contained in Planning Report for application 2017-144 which is attached.

Standard Conditions of Approval

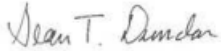
Please Note: The following standard conditions of approval and requirements apply to all approved site plans:

1. Subdivision Recording Plat A revised recording plat, listing all conditions of subdivision approval, must be submitted to the Planning and Urban Development Department for review. Once approved, the plat shall be signed by the Planning Board prior to the issuance of a performance guarantee. The performance guarantee must be issued, prior to the release of the recording plat, for recording at the Cumberland County Registry of Deeds.
2. Develop Site According to Plan The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
3. Separate Building Permits Are Required This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Permitting and Inspections Department.
4. Site Plan Expiration The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
5. Inspection Fees An inspection fee payment of minimum of \$300.00 and three (3) final sets of plans must be submitted to and approved by the Planning and Urban Development Department and Public Works Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
6. Construction Management Plans The applicant, contractor and subcontractors are required to conform to the approved Construction Management Plan, and all conditions contained within the project's approval, for the entire duration of the project. Any amendments to the approved Construction Management Plan shall be reviewed and approved by the Department of Public Works prior to the execution. The Planning Authority and the Department of Public Works have the right to seek revisions to an approved Construction Management Plan. The applicant shall coordinate the project's construction schedule with the timing of nearby construction activities to avoid cumulative impacts on a neighborhood and prevent unsafe vehicle and pedestrian movements. Accordingly, nearby construction activities could involve a delay in the commencement of construction.
7. Department of Public Works Permits If work or obstructions will occur within the public right-of-way, such as utilities, curb, sidewalk, driveway construction, site deliveries and equipment siting, a Street Opening and/or Occupancy Permit (s) is required for your site. Please contact the Department of Public Works Permit Clerk at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning and Urban Development Department at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Shukria Wiar at (207) 756-8083 or via email at shukriaw@portlandmaine.gov

Sincerely,



Sean Dundon, Chair
Portland Planning Board

Attachments:

1. Planning Board Report
2. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Stuart G. O'Brien, City Planning Director, Planning and Urban Development
Barbara Barhydt, Development Review Services Manager, Planning and Urban Development
Shukria Wiar, Planner, Planning and Urban Development
Philip DiPierro, DRC, Planning and Urban Development
Mike Russell, Director of Permitting and Inspections
Ann Machado, Zoning Administrator, Permitting and Inspections
Jonathan Rioux, Deputy Director, Permitting and Inspections
Jeanie Bourke, Plan Reviewer/CEO, Permitting and Inspections
Chris Branch, Director of Public Works
Keith Gray, Senior Engineer, Public Works
Doug Roncarati, Stormwater Coordinator, Public Works
Jane Ward, Engineering, Public Works
Rhonda Zazzara, Construction Engineering Coordinator, Public Works
Jeff Tarling, City Arborist, Public Works
Jeremiah Bartlett, Transportation Systems Engineer, Public Works
William Scott, Chief Surveyor, Public Works
Mike Thompson, Fire
Danielle West-Chuhta, Corporation Counsel
Jennifer Thompson, Corporation Counsel
Victoria Volent, Housing Program Manager, Housing and Community Development
Thomas Errico, P.E., TY Lin Associates
Lauren Swett, P.E., Woodard and Curran
Christopher Huff, Assessor



PLANNING BOARD REPORT PORTLAND, MAINE

CONVERSION OF STORAGE SPACE INTO SIX APARTMENTS

37 Casco Street
Subdivision Plan and Level III Site Plan
Project ID #2017-144
Ambassador, LLC, Applicant

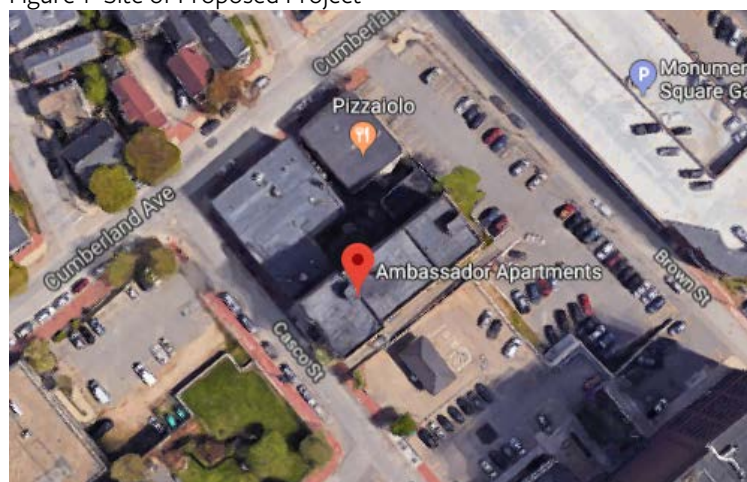
Submitted to: Portland Planning Board Public Hearing Date: February 27, 2018	Prepared by: Shukria Wiar, Planner Date: February 22, 2018
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I. INTRODUCTION

Ambassador, LLC is requesting a public hearing for approval of a Level III Site Plan and Subdivision application at 37 Casco Street. The applicant is proposing to convert storage space in the building into six residential apartments. The proposed reconfiguration of the units will occur within the existing historic structure. There are no proposed changes to the building exterior. The parcel is located in the B-3 Downtown Business Zone and the Congress Street Historic District. This proposal is being reviewed as a final plan and subject to the Site Plan and Subdivision Ordinance of Land Use Code.

Two hundred (200) notices were sent to area residents within 500 feet of the site and the interested party list. A notice also appeared in the February 19th and 20th editions of the *Portland Press Herald*.

Figure 1- Site of Proposed Project



Applicant Name	Ambassador, LLC
Consultants	
Agent Representative	Bianca Garber, Port Property Management
Attorney	Victoria Morales, Morales Law
Surveyor	

II. Project Review

Review	Applicable Standards
Site Plan	14-526
Subdivision	14-491

II. PROJECT DATA

Existing Zoning:	B-3 Downtown Business Zone and Overlay of Congress Street Historic District
Proposed Use:	Residential Apartments
Parcel Size:	9,661 sq ft
Total Disturbed Area:	None- all interior improvements

Building Area:	There are no plans to change the total building area
Total Building Area:	9,661 sq ft
Project Internal Total:	±3,110 sq ft
Residential Data:	
Existing Residential Units:	Eighty-six (86) Apartments
Proposed Residential Units:	Six Apartments
Bedroom Mix:	Four Efficiencies; Two one-bedroom
Parking Spaces:	
Existing:	None
Proposed:	None
Bicycle Parking Spaces:	
Existing:	None
Proposed:	None
Estimated Cost of Project:	\$85, 000

III. PROPOSED DEVELOPMENT

The 9,661 square foot, six-(6) level building at 37 Casco Street is currently occupied by residential apartments. The applicant is proposing to convert existing one three-bedroom unit into six studios and a laundry room into one-bedroom apartment for a total of six new residential apartments.

The proposed residential units range in size from 280 to 730 square feet in area. The apartments will be studio units and one-bedroom apartments. The units are accessed by the building's existing elevators and stair wells. A common central corridor leads to unit entries. There will be no exterior modifications to the building

The property is located in the B-3 Downtown Business zone and within the Congress Street Historic Overlay district. The B-3 zone allows residential dwelling units with no residential density requirements and the project is exempt from parking requirements under the change of use provisions for an historic structure. Therefore, the applicant does not need to provide any additional dedicated parking for the project under the zoning ordinance as a change of use in the B3 Downtown Business Zone or in the Historic District. The site will provide compact in-city living for renters, which is near services, such as businesses, institutions, employers and public transportation

Figure 2: Existing Building



IV. PUBLIC COMMENT

A Neighborhood Meeting is required for this project and the applicant has confirmed that the neighborhood meeting was held on February 20, 2018, see [Attachment H](#). As of the writing of this report no written public comment has been received.

V. RIGHT, TITLE AND INTEREST AND FINANCIAL/TECHNICAL CAPACITY

- a. The owner of the property is Ambassador, LLC. The applicant has provided a copy of a warranty deed, recorded at the Cumberland County Registry of Deeds (Book 4798 Page 12), which demonstrates their right, title and interest in the property.
- b. The estimated cost of the development is \$85,000. The applicant has submitted a letter from Camden National Bank, dated 02.01.2018 as demonstration of their financial and technical capacity to complete the proposed development.

VI. ZONING ASSESSMENT

A zoning review has done on this application and the project and all zoning requirements of the B-3 zone are being met at this time.

VIII. DEVELOPMENT REVIEW

A. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527)

The subdivision plat has been reviewed by staff. The plat will need to show the zoning information for the zone and identify that the parcel is within the Congress Street Historic District. The plat will also need to show the uses of the building, the number of residential units (existing and proposed), and the number of parking spaces on site.

B. SUBDIVISION (Section 14-497)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below.

- 1) Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)
There is not site alteration, thus the staff finds the proposed project in conformance with this standard.
- 2) Sufficient Water Available (Section 14-497 (a) 2 and 3)
The applicant has presented a capacity letter from the Portland Water District.
- 3) Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)
Please see paragraph VII (B) 1 below.
- 4) Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)
Please see paragraph VII (B) 3 below.
- 5) Scenic Beauty, Natural, Historic, Habitat and other Resources (Section 14-497 (a) 8)
The proposed project will not have an adverse effect on the scenic or natural beauty of the area.
- 6) Comprehensive Plan (Section 14-497 (a) 9)
The project is consistent with the Housing Goals and Policies of the Comprehensive Plan.
- 7) Financial Capability (Section 14-497 (a) 10)
The estimated cost of the development is \$85,000. The applicant has submitted a letter from Camden National Bank, dated 02.01.2018 (Attachment E) as demonstration of their financial and technical capacity to complete the proposed development.

C. SITE PLAN STANDARDS (Section 14-526)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

1. Transportation Standards
 - a. Impact on Surrounding Street Systems
 - b. Access and Circulation
 - c. Public Transit Access
 - d. Parking
 - e. Transportation Demand Management (TDM)

STAFF COMMENT: The proposed project is not anticipated to have any significant adverse effect on regional traffic. The site offers space for vehicular loading and unloading at the rear of the building. Metered on-street parking is also available near the project's front entry, as well as surrounded by surface parking lot. In addition, there is a recently approved parking garage off Brown Street, which is to the rear of the building. According to the applicant, tenants either do not own vehicles, park on the street, or lease parking elsewhere. The project is not required to provide any dedicated parking for the project under the zoning ordinance as a change of use in the B3 Downtown Business Zone. Tom Ericco, Consultant Traffic Engineer, has reviewed the proposed project and has no comments.

Planning staff recommends as a condition of approval that one bicycle rack be installed to serve this project.

2. Environmental Quality Standards
 - a. Preservation of Significant Natural Features
 - b. Landscaping and Landscape Preservation
 - c. Water Quality, Storm Water Management and Erosion Control

STAFF COMMENT: Under the standards of the subdivision ordinance, all subdivisions are required to provide one (1) street tree per lot or unit for multi-family projects. The subject application is for six (6) units and there is one existing street tree on the proposed site that applicant will get a credit for. The applicant has requested a waiver of the street trees in order to contribute to the City's tree fund for the five required trees. Whereas the subject site is located in a fully developed urban environment, the City Arborist supports the waiver and that the developer shall contribute a fee of \$400 per tree required into a street tree fund for a total of \$2,000 for use by the City Arborist in the installation and maintenance of urban street trees in the vicinity of the site.

In its present condition, the site is fully impervious. Existing drainage flows and catchments systems appear to be functioning effectively. No improvements to the existing infrastructure are proposed.

3. Public Infrastructure and Community Safety Standards
 - a. Consistency with Master Plans
 - b. Public Safety and Fire Prevention
 - c. Availability and Adequate Capacity of Public Utilities

STAFF COMMENT: Captain Robert Thompson of the Fire Department has reviewed the project and has no issues in the site-plan process, as changes to access to the site have not been proposed. The applicant submitted a letter from the Engineering Division of Public Works verifying adequate sewer

capacity to serve the project. The Department of Public Services did evaluate the site and found the sidewalks along the property boundaries to be in good condition, so no public improvements within the right-of-way are required.

4. Site Design Standards
 - a. Massing, Ventilation and Wind Impact
 - b. Shadows
 - c. Snow and Ice Loading
 - d. View Corridors
 - e. Historic Resources
 - f. Exterior Lighting
 - g. Noise and Vibration
 - h. Signage and Wayfinding
 - i. Zoning Related Design Standards

STAFF COMMENT: The building is an existing structure and no exterior modifications are proposed.

VIII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the propose subdivision and site plan for four additional units at 638 Congress Street.

IX. PROPOSED MOTIONS

DEVELOPMENT REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application 2017-144 relevant to the Site Plan, Subdivision and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan [is or is not] in conformance with the site plan and subdivision standards of the land use code subject to the following conditions of approval:

1. The recording plat shall be revised noting all zoning information, number of units, waivers, and conditions for review and approval by the Planning Authority prior to recording. All waivers shall be recorded within 90 days of the Planning Board approval.
2. A bicycle rack meeting the city's specifications in the technical manual shall be installed prior to the issuance of a certificate of occupancy. The location of it will be determined on site.
3. A contribution amount of \$2,000 to the City's Street Tree Fund to be substituted for the provision on site of five of the required street trees prior to a building permit.

Attachments:

Applicant's Submittal

- A. Attorney Morales Letter
- B. Level III Final 5-23-17
- C. 37 Casco Street Deed
- D. Wastewater Capacity Application

- E. Financial Capacity Letter
- F. Water Capacity Letter from PWD
- G. Wastewater Capacity Letter from DPW
- H. Neighborhood Meeting Packet

Plans

- Plan 1 Land Survey - Ambassador (37 Casco)
- Plan 2 Survey 12-8-2017
- Plan 3 37_Casco_Map
- Plan 4 37_Casco_Building_CURRENT
- Plan 5 37_Casco_Sketch
- Plan 6 37_Casco_PROPOSED_CHANGES
- Plan 7 Plot Plan 37 Casco Street
- Plan 8 Subdivision Plat 12-12-2017