



Portland, Maine



Yes. Life's good here.

Reviewed for Code Compliance
Permitting and Inspections Department
Approved with Conditions

09/12/2018

Permitting and Inspections Department
Michael A. Russell, MS, Director

General Building Permit Application

Project Address: 580 Congress Street

Tax Assessor's CBL: 037 G-005 001 Cost of Work: \$ 378,775.00

Chart # Block # Lot #

Proposed use (e.g., single-family, retail, restaurant, etc.): Residential

Current use: Vacant Past use, if currently vacant: Commercial

Commercial Multi-Family Residential One/Two Family Residential

Type of work (check all that apply):

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> New Structure | <input type="checkbox"/> Fence | <input type="checkbox"/> Change of Ownership - Condo Conversion |
| <input checked="" type="checkbox"/> Addition | <input type="checkbox"/> Pool - Above Ground | <input checked="" type="checkbox"/> Change of Use |
| <input checked="" type="checkbox"/> Alteration | <input type="checkbox"/> Pool - In Ground | <input type="checkbox"/> Change of Use - Home Occupation |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Retaining Wall | <input type="checkbox"/> Radio/Telecommunications Equipment |
| <input type="checkbox"/> Shed | <input type="checkbox"/> Replacement Windows | <input type="checkbox"/> Radio/Telecommunications Tower |
| <input type="checkbox"/> Demolition - Structure | <input type="checkbox"/> Commercial Hood System | <input type="checkbox"/> Tent/Stage |
| <input type="checkbox"/> Demolition - Interior | <input type="checkbox"/> Tank Installation/ | <input type="checkbox"/> Wind Tower |
| <input type="checkbox"/> Garage - Attached | <input type="checkbox"/> Replacement Tank Removal | <input type="checkbox"/> Solar Energy Installation |
| <input type="checkbox"/> Garage - Detached | | <input type="checkbox"/> Site Alteration |

Project description/scope of work (attach additional pages if needed):

Renovate existing 4th floor as per plan and add 5th floor penthouse with deck

Applicant Name: Leddy Build Design, LLC Phone: (207) 415 - 9698

Address: 18 Beach Street, South Portland, ME 04106 Email: leddybulldesign@gmail.com

Lessee/Owner Name (if different): BBB, Inc Phone: (207) 831 - 6339

Address: 580 Congress Street, Portland, ME 04101 Email: _____

Contractor Name (if different): _____ Phone: (____) _____ - _____

Address: _____ Email: _____

I hereby certify that I am the owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: Paul Leddy Date: 03/15/2018

This is a legal document and your electronic signature is considered a legal signature per Maine state law.

Review of this application will not begin until the permit payment is received. This is not a permit. Work may not commence until the permit is issued.



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Electronic Signature and Fee Payment Confirmation

This is a legal document and your electronic signature is considered a legal signature per Maine state law. You will receive an e-mailed invoice from our office which signifies that your electronic permit application has been received and is ready for payment. Please pay by one of the following:

- Electronic check or credit card: portlandmaine.gov/payyourpermit
- Over the phone at (207) 874-8703
- Drop off to Room 315, City Hall
- Mail to:

**City of Portland
Permitting and Inspections Department
389 Congress Street, Room 315
Portland, Maine 04101**

By signing below, I understand the review process starts once my payment has been received. After all approvals have been completed, my permit will be issued via e-mail. Work may not commence until permit is issued.

Applicant Signature: Paul Leddy Digitally signed by Paul Leddy
Date: 2017.09.15 13:00:50 -04'00' Date: 03/15/2018

I have provided electronic copies and sent them on: Date: 03/15/2018

NOTE: All electronic paperwork must be delivered to permitting@portlandmaine.gov or with a thumb drive to the office.

If you or the property owner owes taxes or user charges on property within the City, payment arrangements must be made before a permit application is accepted.



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New Commercial Structure and Addition Checklist

(Including accessory structure, ramp, stair)

All applications shall include the following:

- New Commercial Structures and Additions Checklist** (this form)
- General Building Permit Application**
- Plot plan/site plan** showing lot lines, shape and location of existing and proposed structures
- Stamped boundary survey and copy of final approved site plan** (for new commercial structures that were subject to Site Plan approval only)
- Proof of Ownership** (e.g. deed, purchase and sale agreement) if purchased within the last six months
- Administrative Authorization Application** from the Planning Department (required for new structures 500 square feet or less): <http://me-portland.civicplus.com/DocumentCenter/View/2809>

Please note: All plans shall be drawn to a measurable scale (e.g., 1/4 inch = 1 foot) and include dimensions. Construction documents prepared and stamped by a licensed architect or engineer shall be required for certain projects in accordance with the stated Policy on Requirements for Stamped or Sealed Drawings.

Applications for detached accessory structures 120 square feet or less (for storage only) shall also include: One of the following which includes the length, width and height of the structure:

- A copy of the brochure from the manufacturer; or
- A picture or sketch/plan of the proposed shed/structure

Applications for new structures and additions shall also include the following (As each project has varying degrees of complexity and scope of work, some information may not be applicable. Please check and submit only those items that are applicable to the proposed project.)

- Complete Code Reviews** per 2009 IBC and 2009 NFPA 101 with project applicable details
- Geotechnical report**
- Structural load design criteria** per 2009 IBC
- Statement of Special Inspections**
- Certificate of Accessible Building Compliance**
- ComCheck** <https://www.energycodes.gov/comcheck/> or **ResCheck** <https://www.energycodes.gov/rescheck/> with certificates of compliance for thermal envelope and MEP systems
- One complete set of construction drawings with the following:**
 - Life safety plan showing egress capacity, any egress windows, occupancy load, travel distances, common path distance, dead end corridor length, separation of exits, illumination and marking of exits, portables fire extinguishers, fire separations and any fire alarm or fire sprinklers systems.
 - Foundation, floor and wall structural framing plans for each story and roof
 - Stair details with dimensions, direction of travel, handrails and guardrails
 - Wall/floor/ceiling partition types including listed fire rated assemblies and continuity
 - Sections and details showing all construction materials, floor to ceiling heights and stair headroom
 - Building Elevations, existing and proposed for each side of the building
 - Door and window schedules
 - Insulation R-factors of foundation/slab, walls, ceilings, floors, roof and window U-factors
 - Accessibility features and design details
 - Complete electrical, plumbing and mechanical plans
 - Project specifications manual
 - A copy of the State Fire Marshal construction and barrier free permits. For these requirements visit: http://www.maine.gov/dps/fmo/plans/about_permits.html

Separate permits are required for internal and external plumbing, electrical installations, heating, ventilating and air conditioning (HVAC) systems, appliances and commercial kitchen hoods.



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Certificate of Accessible Building Compliance

All facilities for the use of a public entity shall be readily accessible by individuals with disabilities.

Project Name: 4th Floor Renovations/5th Floor Additions Project Address: 580 Congress Street

Classification: Title II (State/Local Government) Title III (Public Accommodation/Commercial Facility)

New Building

- Americans with Disabilities Act (ADA)
- Maine Human Rights Act (MHRA)
 - Barrier Free Certification (\$75,000+ scope of work)
 - State Fire Marshal Plan Review Approval

Alteration/Addition

- Existing Building Completion date:
 - Original Building: _____
 - Addition(s)/Alteration(s): _____
- Americans with Disabilities Act (ADA)
 - Path of Travel Yes No
- Maine Human Rights Act (MHRA)
 - Exceeds 75% of existing building replacement cost
 - Barrier Free Certification (\$75,000+ scope of work)
 - State Fire Marshal Plan Review Approval

Occupancy Change/Existing Facility

- New Ownership - Readily Achievable Barrier Removal: _____

Residential

- Americans with Disabilities Act (ADA)
- Fair Housing Act (4+ units, first occupancy)
- Maine Human Rights Act (MHRA)
 - Covered Multifamily Dwelling (4+ units)
 - Public Housing (20+ units)
- Uniform Federal Accessibility Standards (UFAS)
- None, explain: THIS IS A PRIVATE RESIDENCE

Contact Information:

Design Professional: Brian E. Duffy

Signature
(This is a legal document and your electronic signature is considered a legal signature per Maine state law.)

Name: BRIAN E. DUFFY

Address: 65 FALMOUTH ROAD
FALMOUTH, ME 04105

Phone: 207-838-9500

Maine Registration #: 1524

Owner: E R

Signature
(This is a legal document and your electronic signature is considered a legal signature per Maine state law.)

Name: Edmund Richard Bralieu

Address: 271 Summit St
Portland Me 04103

Phone: 207 831 6339



Permitting and Inspections Department
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Commercial Interior Alteration Checklist

(Including change of use, tenant fit-up*, amendment and/or interior demolition)

All applications shall include the following (please check and submit all items):

- Commercial Interior Alterations Checklist** (this form)
 - General Building Permit Application** completed
 - Plot plan/site plan** showing lot lines, shape and location of all structures, off-street parking areas and noting any dedicated parking for the proposed business
 - Proof of Ownership or Tenancy** (If tenant, provide lease or letter of permission from landlord. If owner, provide deed or purchase and sale agreement if the property was purchased within the last 6 months.)
 - Key plan** showing the location of the area(s) of renovation within the total building footprint and adjacent tenant uses
 - Life Safety Plan** drawn to scale, showing egress capacity, any egress windows, occupancy load, travel distances, common path distance, dead end corridor length, separation of exits, illumination and marking of exits, portables fire extinguishers, fire separations and any fire alarm or fire sprinklers systems
 - Existing floor plans/layouts** drawn to scale, including area layout, removals, exits and stairs
 - Proposed floor plans/layouts** drawn to scale, including dimensions, individual room uses and plumbing fixtures
- Please note: All plans shall be drawn to a measurable scale (e.g., 1/4 inch = 1 foot) and include dimensions. Construction documents prepared and stamped by a licensed architect or engineer shall be required for certain projects in accordance with the stated Policy on Requirements for Stamped or Sealed Drawings.*

Additional plans may also require the following (As each project has varying degrees of complexity and scope of work for repairs, alterations and renovations, some information may not be applicable. Please check and submit only those items that are applicable to the proposed project.):

- Code information** including use classifications, occupant loads, construction type, existing/proposed fire alarm, smoke and sprinkler protection systems, egress (exits and windows), fire separation areas and fire stopping
- Demolition plans and details for each story** including removal of walls and materials
- Construction and framing details** including structural load design criteria and/or non-structural details
- New stairs** showing the direction of travel, tread and rise dimensions, handrails and guardrails
- Wall and floor/ceiling partition types** including listed fire rated assemblies
- Sections and details** showing all construction materials, floor to ceiling heights, and stair headroom
- New door and window schedules** (include window U-factors)
- Accessibility features and design details** including the Certificate of Accessible Building Compliance
- Project specifications manual**
- A copy of the State Fire Marshal construction and barrier free permits.** For these requirements visit:
http://www.maine.gov/dps/fmo/plans/about_permits.html

Food service occupancies require additional plans and details for review, such as occupant load per square foot area for tables and chairs, number of fixed bar, banquet and booth seating, equipment and plumbing fixture plans with schedule, hood location and interior finish materials. Accessible seating and counter details shall be included, please refer to this site: http://www.alphaonenow.org/userfiles/resto_access_sheet.pdf

Separate permits are required for internal and external plumbing, electrical installations, heating, ventilating and air conditioning (HVAC) systems, appliances and commercial kitchen hoods.

*Tenant fit-up: construction necessary within the demising walls of a leased space, including partitions, finishes, fixtures, lighting, power, equipment, etc. making the interior space suitable for the intended occupation.



PUBLIC AND PRIVATE LAND USE RESTRICTIONS

The City of Portland enacted the current Zoning Ordinance in 1958, the purpose of which, as quoted from Article III Sec. 14-46 of the Portland Land Use Pamphlet, is stated below.

Sec. 14-46. Purpose

"This article, made in accordance with a comprehensive plan, is enacted for the purpose of decreasing congestion in streets; securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, sewerage, schools, parks and other community facilities and utilities; thus promoting the health, safety, convenience and general welfare of the citizens of the city. This article is made with reasonable consideration, among other things, to the character of each zone and its peculiar suitability for particular uses and with a view to conserving and stabilizing the value of property and encouraging the most appropriate use of land throughout the community." (Code 1968, Section 602.1.A)

Enforcement

The Zoning Ordinance is currently enforced by the Portland's Zoning Code Enforcement Officer. The zoning office is overseen by the Building Inspection Division. There is a Board of Appeals which oversees variances and special condition permits. Typically, variances are granted only for non-economic hardships. Any violation of the Zoning Ordinance is referred to the City Corporate Council for consideration of legal action.

The Zoning Ordinance has divided the city into individual zones: Residential; Business/Commercial; Industrial; Waterfront; and Recreational or Resource Protection areas. The following is a breakdown of the individual zoning districts.

- | | |
|---|-------------------------------------|
| R-1 - Residential | I-B - Island Business |
| R-2 - Residential | B-4 - Commercial Corridor |
| R-3 - Residential | B-5 - Urban Commercial Mixed Use |
| FH - Flexible Housing | O-P - Office Park |
| R-4 - Residential | I-L and I-Lb - Industrial |
| R-5 - Residential | I-M, I-Ma and I-Mb - Industrial |
| R-5A - Residential | I-H and I-Hb - Industrial |
| R-6 - Residential | B-6 - Eastern Waterfront Mixed |
| R-7 - Compact Urban Residential | B-7 Mixed Development District |
| IR-1 - Island Residential | EWPZ - Eastern Waterfront Port Zone |
| IR-2 - Island Residential | WCZ - Waterfront Central |
| IR-3 - Island Residential | Waterfront Port Development |
| Island Transfer Station Overlay | Waterfront Special Use |
| R-P - Residence/Professional | R-P - Resource Protection |
| USM University of Southern Maine Overlay | Helistop Overlay |
| R-OS - Recreation and Open Space | Downtown Entertainment Overlay |
| B-1 and B-1b - Neighborhood Business | S-P Stream Protection |
| B-2 and B-2b - Community Business | Shoreland Regulations |
| B-3, B-3b and B-3c - Downtown Business (Subject) | IS-FBC Fore Street |
| A-B Airport Business | |

The subject property is located in the B-3 Downtown Business Zone per the Portland Zoning Ordinance. This zone was created to provide locations in the city for development and operation of a mixture of commercial uses and services.



580 Congress Street, Portland, Maine 04101

Purpose

Briefly, the purpose of the B-3 Zone is to *maintain/enhance the role of the downtown as the business/commercial center of the region*. For a complete list of the purposes of this zone please refer to the attached zoning excerpts in the Appendix of this report.

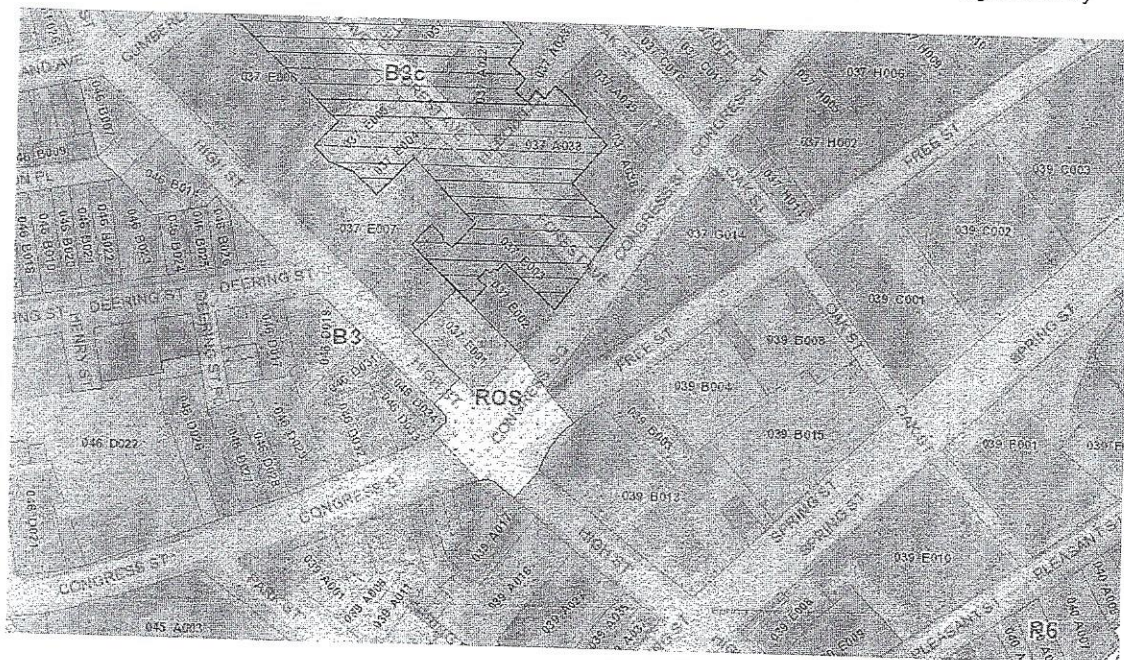
Permitted Uses

Pertinent excerpts from the Zoning Ordinance are displayed in the Appendix. The following is a summary list of permitted uses and restrictions.

Attached residential and multifamily dwellings, *business uses such as offices, retail establishments, restaurants, drinking establishments, personal services, hotels/motels, health clubs, theaters, convention and meeting facilities, etc.* Institutional uses such as clubs, churches, schools, museums, etc. are also permitted. Other uses such as bed and breakfasts, government uses and studios are allowed as well. The property is also situated in the Pedestrian Activities District (PAD) Overlay Zone, which also limits its use.

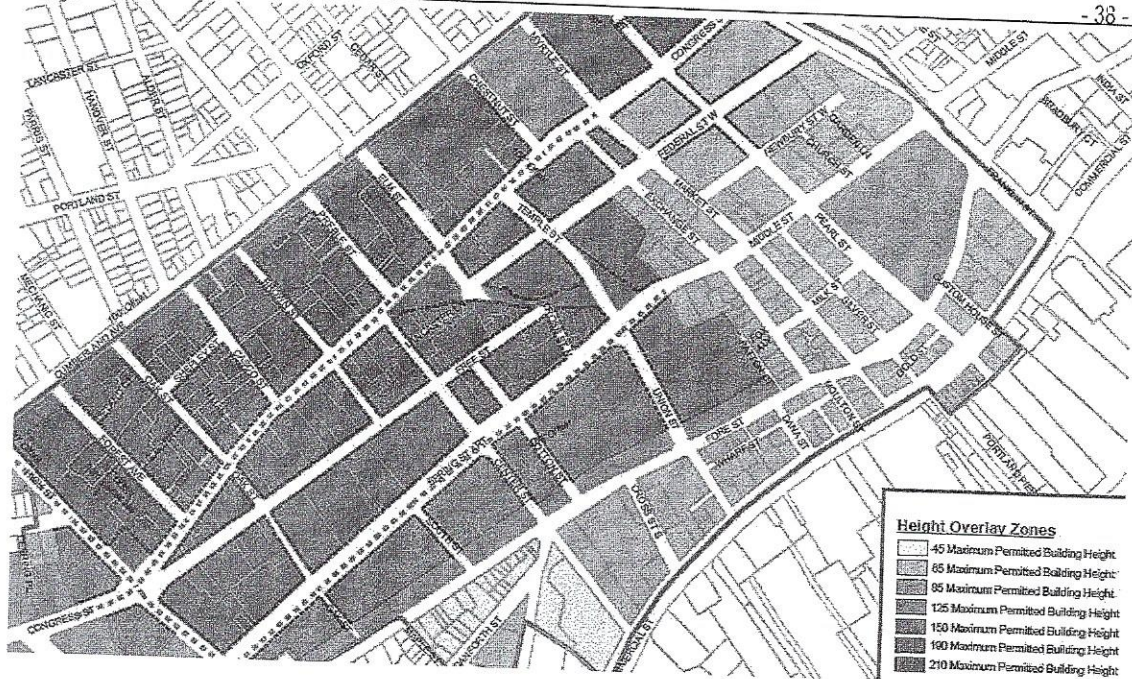
Space and Bulk Requirements

Minimum Lot Size:	None
Minimum Street Frontage:	15'
Street Wall Build-to Line:	Within 5'
Minimum Yard Dimensions:	None
Minimum Lot Width:	None
Maximum Length of Undifferentiated Blank Wall Along a Public Street or Pedestrian Way:	15' in PAD Overlay Zone
Maximum Lot Coverage:	100%
Minimum Building Height for New Building:	35', other than remote bank teller or parking lot attendant facility
Maximum Building Height:	Must conform to downtown height overlay





580 Congress Street, Portland, Maine 04101



Other Requirements and Standards

There are significant building and sign design guidelines in this district, as well as standards for protection of historic properties. Other requirements involve parking, exterior storage and participation in the Downtown Arts Program and Downtown Improvement District (DID).

Private Restrictions

To the best of the appraiser's knowledge, there are no private restrictions that would limit the use of the subject property. A copy of Portland's Zoning Ordinance specifically addressing the B3 Zone is located in the Appendix.

Conclusion

The current and proposed use of the improved parcel is legal and conforming. The subject property appears to meet the majority of the existing requirements.



580 Congress Street, Portland, Maine 04101

- 30 -

PROPERTY DESCRIPTION

580 Congress Street is a four-story historic mixed-use brick building built in 1900 per municipal records. The subject is located in Portland's Art's District near the intersection of Congress Street and Free Street. The building includes 9,044 sf. of GBA per municipal records. The building is fully owner-occupied. The ground floor consists of retail space and is occupied by Springer's Jewelers. The second and third floors consist of above average quality Class B office space. Springer's Jewelers utilizes these spaces for their company offices. The fourth floor currently consists of clean shell space.

The subject owner has proposed to convert the fourth floor into a one-bedroom luxury penthouse unit to include a roof deck and small 5th level addition. The proposed renovation budget has been estimated at \$578,673 by Leddy Build Design. The new rooftop 5th level will include a 208 sf. fully enclosed mezzanine level with a dry bar and windows on all four sides. A 240 sf. roof-top deck will wrap the mezzanine level on the east and west sides. The proposed renovations are estimated to be completed by June 1, 2018.

As part of the renovation process, the subject owner has recently installed a new five-stop elevator at a total cost of \$184,397. As of the date of our property tour nearly all work related to the elevator installation had already been completed.

The subject benefits from its Congress Street location on Portland's peninsula in close proximity to the intersection of Congress Street and High Street. The building improvements are currently in above average to good condition, with no significant deferred maintenance present. The subject is well suited to an owner-user or an investor with experience in the management responsibilities inherent to small mixed-use properties located within the context of an urban setting.



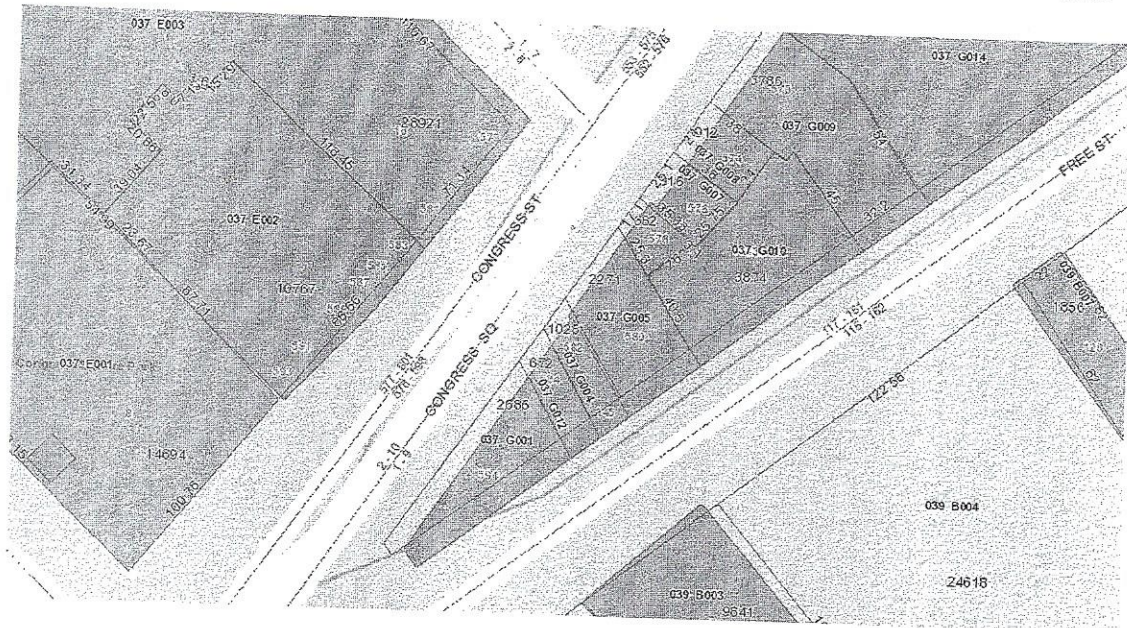
SITE

The subject site is a slightly irregular-shaped 0.0521-acre corner urban lot with frontage on Congress and Free Streets. The primary pedestrian entrance to the subject is located along the Congress Street frontage. The subject's ground level retail space is visible and accessible from both Congress Street and Free Street. Nearby and adjacent properties primarily include historic mixed-use properties that include a combination of retail, office and residential uses, in addition to the Portland Art Museum, Congress



580 Congress Street, Portland, Maine 04101

Square Park, and the Westin Portland Harborview Hotel. The subject site is located in close proximity to Monument Square located to the northeast and approximately a half mile west of the Old Port district.



The subject site is 100% developed, with the improvements occupying the entire parcel. There is no onsite parking present. Street parking is available throughout the immediate neighborhood, complimented by a number of surface lots and parking garages. The site's topography is generally level and soils are considered to be adequate for development. The site is located within Zone C; areas of minimal flood hazard per FEMA Map #230051-0013B, dated 7/17/1986.

The property is serviced by natural gas, municipal water/sewer, electric service and telephone/cable. The property is encumbered by normal utility and access easements, which do not adversely affect it. There are no apparent encroachments.

SUMMARY OF SITE CHARACTERISTICS	
Size of Site	0.0521
Location	580 Congress Street
Shape/Frontage	Slightly irregular: adequate frontage on both Congress and Free Streets
Access/Visibility	Pedestrian access from both Congress or Free Streets; good visibility from Congress and Free Streets
Topography/Soil Conditions	Level / Adequate for development
Functional Utility	Average
Utilities	Natural gas, water, sewer, electric service, and telephone/cable
Easements/Encroachments	No adverse easements or encroachments on the subject property
Flood Zone	Zone C; areas of minimal flood hazard per FEMA Map #230051-0013B, dated 7/17/1986
Adjacent Properties	Mixed-use properties with a combination of retail, office and residential uses, hotel, and city-owned park
Marketability/Appeal	Good