

Listed below are key characters (in bold) for searching within this file.

Hold down the control key and select the “f” key. Enter either a key character from the list below or document name and hit enter for a list of documents containing the search word you entered.

APL – all documents behind this target sheet pertain to the original application submitted by the applicant.

PBM – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

PBR – all documents behind this target sheet are any Planning Board reports with attachments that went to the Board.

CC1 – all documents behind this target sheet are any City Council Memos/Reports that went to the City Council.

Misc – all documents behind this target sheet are any that do not pertain to a subject listed above.

APL

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August 30, 2010

Ms. Shukria Wiar, Planner
Department of Planning and Urban Development
Planning Division
Portland City Hall
389 Congress Street
Portland, ME 04101

**RE: Zoning Map Amendment
66-68 High Street**

Dear Shukria:

On behalf of Community Housing of Maine (CHOM), we are pleased to submit the enclosed supporting documentation for a Zoning Map Amendment Application for 66-68 High Street.

This submission includes the following information:

1. Supplemental Information Package
2. Neighborhood Meeting Presentation
3. Sign In Sheets from neighborhood meeting
4. Meeting Minutes from neighborhood meeting
5. Neighborhood Meeting Certification
6. Copy of the neighborhood meeting invitation
7. Existing Conditions Plan

Ms. Shukria Wiar, Planner

Page 2

We trust the above responses and accompanying documentation and plans have addressed the comments received during the planning board workshop meeting on July 27, 2010 and the neighborhood meeting held on August 19, 2010.

Please do not hesitate to call should you have any questions or require additional information.

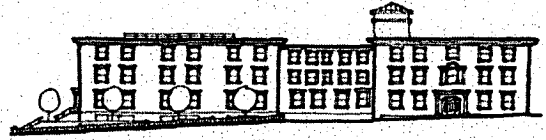
Sincerely,
Mitchell & Associates


John D. Mitchell

Enclosures

cc: Erin Cooperrider
Todd Alexander
Ben Walter
Scott Hanson

66-68 High Street
Zone Map Amendment Application

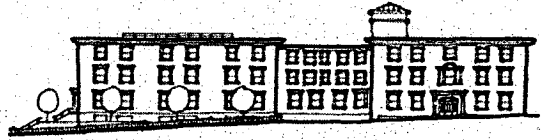


Zoning Map Amendment Application

66-68 High Street

Supplemental Information Package

66-68 High Street Zone Map Amendment Application



Executive Summary

The enclosed information is being provided to supplement Community Housing of Maine's ("CHOM") Zone Map Amendment application for 66-68 High Street. CHOM's development plan for 66-68 High Street is to create 35-units of multifamily housing through the conversion of an existing historic structure and the construction of a new addition on an undeveloped portion of the property (the "Project"). The Project is located in an R6 Zone and does not meet requirements for density, lot coverage and parking. Therefore, CHOM is applying for a Zone Map Amendment, from R-6 to R-7 Compact Urban Residential Overlay Zone ("R7 Overlay").

The Project is eligible for an R7 Overlay because 1) it is consistent with the stated purpose of the R7 Overlay, 2) it involves a site that is appropriate for an R7 Overlay and 3) it is consistent with the City's Comprehensive Plan. The Project is a moderate density compact residential development located on the peninsula and in an R-6 neighborhood characterized by moderate to high density multifamily housing and mixed business and residential zoning. The Project involves a site where an infill development opportunity exists, that is within walking distance of downtown or other work places, shopping and community facilities, and is accessible to public transit services. The Project provides an opportunity for compact in-city living for renters representing a variety of income levels and household types. Finally, the Project achieves many of the policy objectives set forth in Policy #1, #2, #3, #5 and #6 of the housing component of the City's Comprehensive Plan, *Housing: Sustaining Portland's Future*.

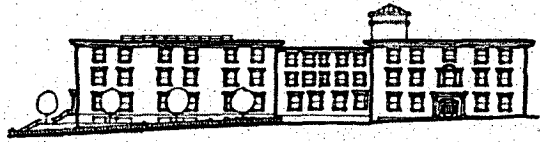
This submittal is comprised of three parts;

Section I Project Overview: The first section provides a brief overview of the Project and, although not eligible for review until the Site Plan and Subdivision stage, conceptual design plans.

Section II R7 Overlay Eligibility: The second section provides the primary documentation supporting the Zone Map Amendment request. This section details why the Project is eligible for an R7 Overlay, why this specific site, 66-68 High Street, is an appropriate parcel for R7 Overlay and how the project is consistent with the City's Comprehensive Plan.

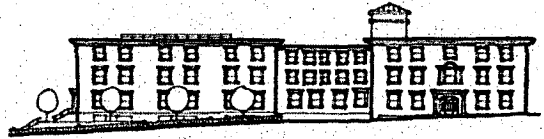
Section III Two Key Questions: The last section addresses two key questions raised by the Planning Board during the first workshop session on July 27th; 1) why is the R7 Overlay—rather than Conditional or Contract Zoning—the appropriate zoning tool to use for the Project? And, 2) should an R7 Overlay—rather than Conditional or Contract Zoning—be implemented for this project given

**66-68 High Street
Zone Map Amendment Application**



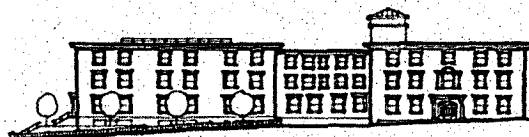
that it will provide the property owner the right to build up to 54 housing units?

66-68 High Street
Zone Map Amendment Application



Section I: Project Overview

66-68 High Street Zone Map Amendment Application



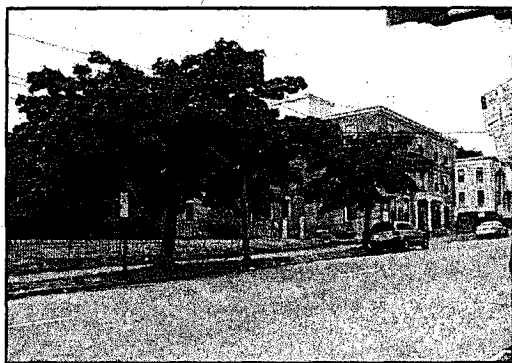
Section I: Project Overview

Housing Objective of the Project

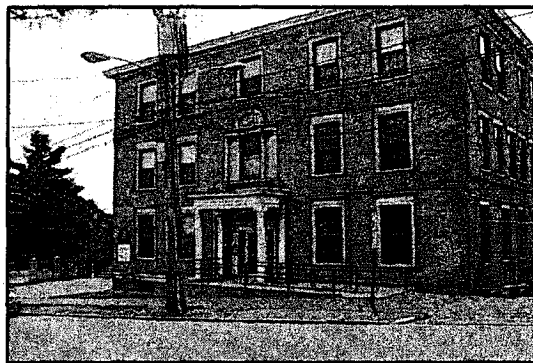
Community Housing of Maine ("CHOM") proposes to acquire and redevelop 66-68 High Street into 35 units of affordable rental housing. The complex will contain a mix of one, two and three-bedroom units, along with a community room, family play area, activity room, and a laundry facility. The property will serve low to moderate income families, who desire to live in an urban, residential neighborhood in close proximity to downtown Portland. CHOM's vision for the property is to create a high quality housing resource for the City of Portland that combines the best features of affordable housing, historic preservation, green design and smart growth principles.

The Site

66-68 High Street is comprised of a freestanding three story, 28,954 square foot brick building on a .54 acre parcel located at the corner of High and Danforth streets. The property is situated in an R-6 zone, within one city block of downtown and a B3 zone. The property is also located in one of Portland's first historic districts. The existing building was designed by Fredrick A. Tompson and constructed in 1909 to serve as the Portland's Children's Hospital. It was built as an addition to the Mussey Mansion, which occupied the undeveloped portion of the site from 1801 to 1962, at which time it was demolished. The pictures below and on the following page depict the current site, as well as the property as it existed for more than 160 years prior to 1962.

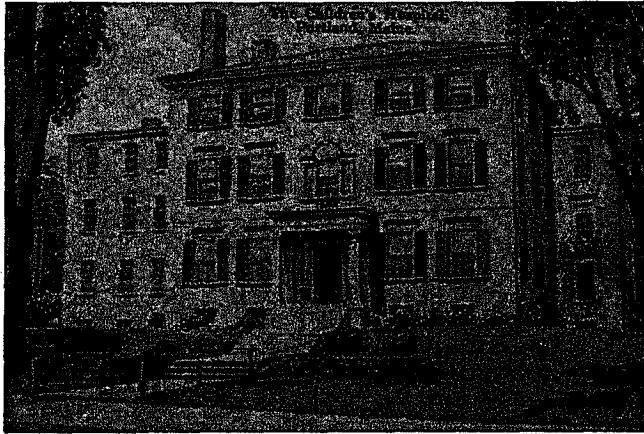
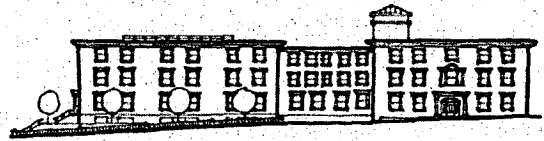


View from corner of High and Danforth Street

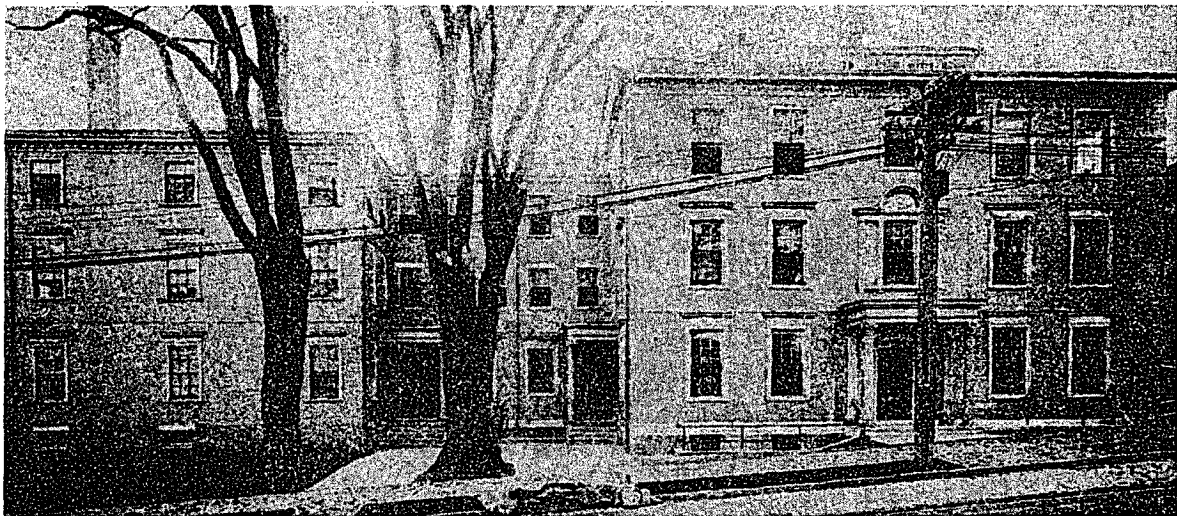


View from High Street

**66-68 High Street
Zone Map Amendment Application**



The Children's Hospital (and former Mussey Mansion), View from Danforth Street

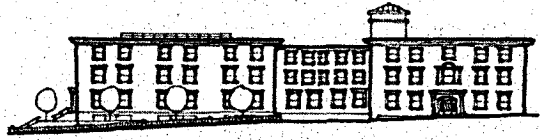


The Children's Hospital (and former Mussey Mansion), View from High Street

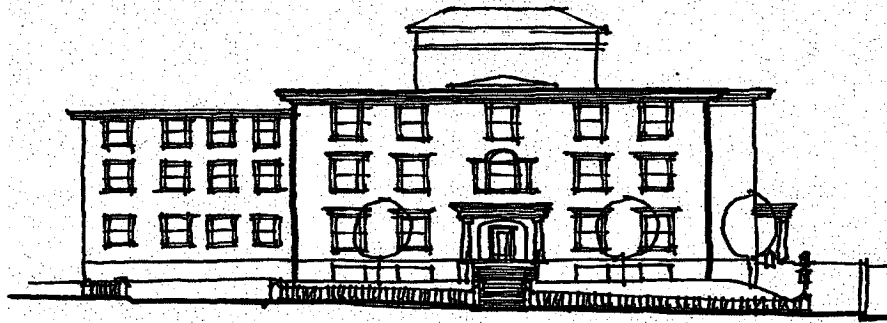
Building Program

CHOM proposes to rehabilitate the main building and convert it to 20 housing units, along with resident facilities in the daylight basement. CHOM also proposes to construct an addition with parking below grade. The addition will be built in roughly the location of the original Mussey Mansion and draw upon its massing, scale and form to embody a character appropriate to the historic district setting. The concept sketches on the following page illustrate the scale of the proposed building and outline the building footprint, parking spaces and other site features.

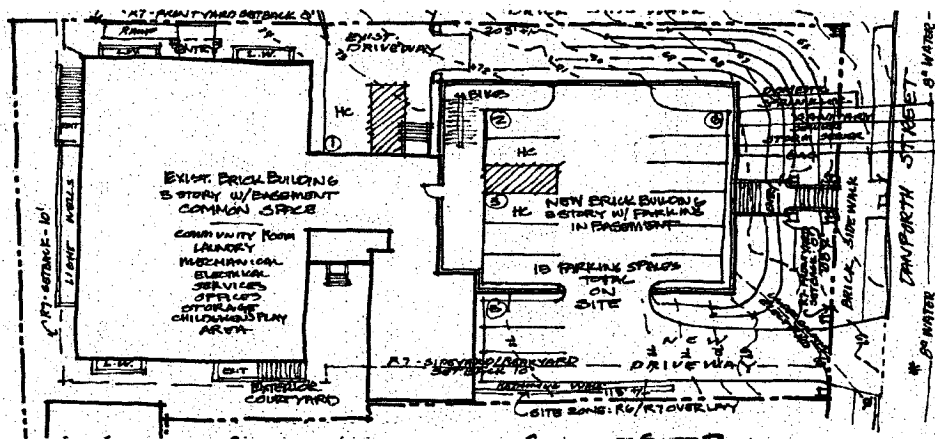
66-68 High Street
Zone Map Amendment Application



Conceptual Design Plan. High Street Elevation. (existing building on right)

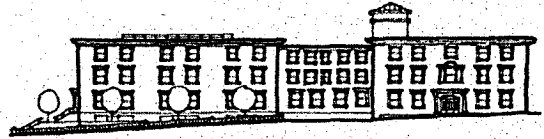


Conceptual Design Plan. Danforth Street Elevation. (existing building on right)



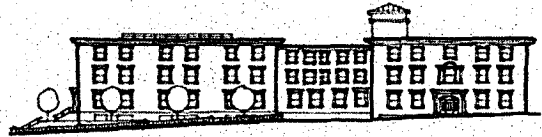
Conceptual Site Plan

66-68 High Street
Zone Map Amendment Application



Section II: R7 Overlay Eligibility

66-68 High Street
Zone Map Amendment Application



Section II: R-7 Overlay Eligibility

The stated purpose of the R7 Overlay is, “...to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland....” Within this purpose statement, there are three threshold tests that a project and site must meet to be eligible for an R7 Overlay. Is the proposed project;

1. A compact residential development?
2. On a site that is an ‘appropriate’ location for an R7 Overlay?
3. Consistent with the city’s comprehensive plan and housing plans?

CHOM’s proposed development plan for 66-68 High Street clearly meets these three threshold tests.

1. Is the proposed project a compact residential development?

Yes. The Project is a compact residential development of moderate to high density.

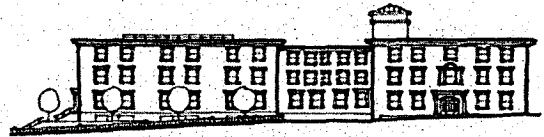
CHOM proposes to create 35 units of multifamily housing on a parcel consisting of .54 acres. The density of the Project will be 680 square feet per unit, as compared to a maximum allowable density in an R7 Overlay of 435 square feet per unit and a maximum allowable density in an R6 zone of 1,200 square feet per unit.

2. Is the proposed project on a site that is an ‘appropriate’ location for an R7 Overlay?

Yes. The Project is an appropriate site for an R7 Overlay, a) as the term ‘appropriate’ is defined in the Zoning Ordinance and b) as previously determined by the City Council.

a. Portland’s Zoning Ordinance defines appropriate locations for an R7 Overlay as follows; “...locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density, multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning....”

**66-68 High Street
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“...moderate to high density, multi-family housing in a form and density exceeding that in the R6 Zone...”: 66-68 High Street is located on the peninsula in an R6 location characterized by moderate to high density, multifamily housing that exceeds the density allowed in the R-6 Zone. The map and corresponding chart provided in **Exhibit A** documents the multifamily housing properties within the neighborhood that exceed the density for an R-6 Zone. This map illustrates that there are more than 25 multifamily housing properties within a two block radius of the subject parcel that have a density that exceeds the allowable density for the R-6 Zone. These properties consist of both for-sale (condo) and rental housing that range in density ranging from approximately 215 to 1,130 square feet per unit, in size from 5 to **190** units, in height from 3 to 7 stories and in year of construction from pre-1900 to 2009.

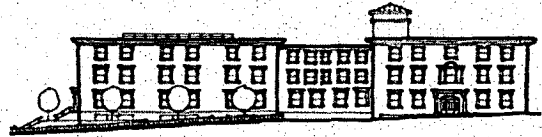
“...where an infill development opportunity exists...”: The Project is proposed for a site where clearly an infill development opportunity exists. The property consists of a nearly vacant historic building that is in good condition and, based on analysis by architects, engineers and historic consultants, can be converted to residential use in conformity with current building codes. In addition, the lot contains sufficient undeveloped land to accommodate a new addition that conforms with existing multifamily housing building codes and R7 zoning requirements.

“...and areas of the peninsula with mixed business and residential zoning...”: As depicted in the map provided in **Exhibit B**, the Project is proposed for a site on the peninsula that is located less than one block from downtown Portland and a high density business zone, B3.

The ordinance further defines ‘appropriate’ locations for the R7 Overlay as follows, *“...Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service...”* The Maine State Planning Office defines walk-able as .25 miles. As demonstrated by the maps provided in Exhibits C, the Project is located within a walk-able distance of;

downtown Portland	public parks
grocery	public library
convenience stores/markets	museums
restaurants	public parks
shopping	public school
pharmacy	churches
day care facilities	metro stops
fitness centers	Portland trail system
health care facilities	Portland waterfront
private parking garages	public parking garages

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- b. The site proposed for the Project also meets the test as an 'appropriate' location for an R7 Overlay because the Planning Board and City Council have already deemed that this location and the surrounding neighborhood are suitable for an R7 Overlay, as well as high density multifamily housing developments—and, have incorporated those determinations into the Zoning Ordinance.

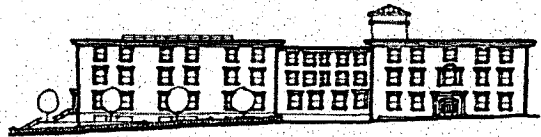
The City Council has approved three high density multifamily housing developments in close proximity to the Project, including one directly across High Street and a second less than one block from the Project. Each of the developments proposed a density significantly greater than the one proposed for the subject property. Yet, in these approvals, the Council specifically acknowledged that high density multifamily residential projects in this neighborhood 1) are consistent with the Comprehensive Plan and 2) would not unreasonably interfere with existing and permitted uses and/or negatively impact the surrounding residential community.

Furthermore, in the case of 81 Danforth, located directly across High Street from the Project, the City Council determined; "...WHEREAS, the proposed development is consistent with the purposes of the R7 Compact Urban Residential Overlay Zone as it is on the peninsula; in a location characterized by moderate to high density multi-family housing; within walking distance of downtown or other work places, shopping and community facilities; will have access to public transit service; and will provide opportunities for compact in-city living for owners, and possibly renters, representing a variety of income levels in small households...." The chart below summarizes each of the previously approved high density multifamily housing developments for the subject neighborhood.

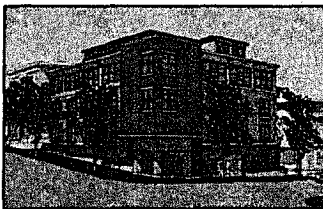
Approved High Density Multifamily Housing Developments in Subject Neighborhood

Project Name	Street Address	CZ No.	Lot Size (square feet)	Units	Density (SF per unit)	Date of Approval
subject property	66-68 high	n/a	23,797	35	680	n/a
casco terrace	41 state street	C29	10,150	27	376	Apr-03
danforth on high	danforth/high	C49	7,619	26	293	Dec-07
53 danforth	53 danforth	C51	16,568	43	385	Jun-08

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Casco Terrace, 41 State Street



Danforth on High, 81 Danforth Street



53 Danforth

3. Is the proposed project consistent with the City's Comprehensive Plan and housing plans?

Yes. The Project is consistent with the City's Comprehensive Plan and, more specifically, the housing component of that plan, *Housing: Sustaining Portland's Future*.

Housing: Sustaining Portland's Future lays out six major policy objectives to achieve the City's housing goals and address Portland's housing shortage. Each of these primary policies outlines a number of secondary policy goals. The proposed Project is consistent with or meets at least 17 of the housing policy goals detailed in the city comprehensive housing plan;

Policy #1: Ensure an Adequate and Diverse Supply of Housing for All

- i. *Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied.*

The Project will provide affordable housing to households earning between \$20,000 and \$45,000 annually.

- ii. *A variety of housing choices should be available such that no one should have to spend more than 30% of their income for housing.*

The Project will be financed with low income housing tax credits, a financing tool specifically designed to set rents at affordable levels—i.e. approximately 30% of household income—for low and moderate income households.

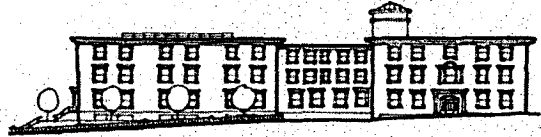
- iii. *Encourage higher density housing located near services, such as schools, businesses, institutions, employers, and public transportation.*

As previously documented, the Project is a moderate density development near the services and facilities listed above.

- iv. *Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords.*

The Project will bring 35 new units into Portland's rental housing stock.

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- v. *Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.*

The Project involves a parcel that—as a result of the demolition of a historic property in the 1960’s—has a large undeveloped component.

Policy #2: Preserve a Quality Housing Stock

- i. *Assist with the restoration and rehabilitation of architecturally significant residential properties within and outside of Portland’s historic districts.*

The Project involves the historic rehabilitation of a building located in Portland’s first historic district.

- ii. *Target vacant buildings for maintenance, rehabilitation and reuse.*

The Project involves a nearly vacant building that can be converted to residential use.

Policy #3: Neighborhood Stability and Integrity

- i. *Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of the City’s residential neighborhoods.*

The Project’s conceptual design thoughtfully borrows directly from the scale and massing of the historic building that occupied the site for 160 years.

- ii. *Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.*

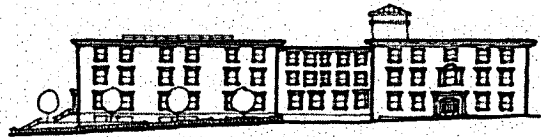
As documented previously, the Project is located in close proximity to the neighborhood assets listed above.

- iii. *Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.*

As an affordable housing property with a mix of one, two and three bedrooms, the Project will add socio-economic diversity to the neighborhood

Policy #5: Sustainable Development

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- i. *Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services and an affordable tax rate.*

The Project will provide diverse housing choices, proximity to services and employment and—by converting a tax-exempt property to a taxable property—expand the city’s economic base.

- ii. *Maximize development where public infrastructure and amenities, such as schools, parks, public/alternative transportation, sewer lines and roads, exist or may be expanded at minimal costs.*

As documented previously, the Project is located in an urban setting that is serviced by the public infrastructure and amenities listed above.

- iii. *Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing.*

The Project will bring 35 new units into Portland’s rental housing stock and be affordable to households working in many peninsula-based occupations.

- iv. *Locate and design housing to reduce impacts on environmentally sensitive areas.*

As an urban infill development involving the adaptive reuse of an historic structure, the Project is designed from the beginning to reduce the environmental impacts associated with new development.

- v. *Design housing to use new technologies and materials that reduce costs and increase energy efficiency.*

The Project is being designed to achieve LEED Silver certification.

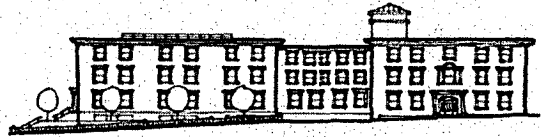
Policy #6: Freedom of Choice

- a. *Increase and ensure equal access to housing opportunities for minorities, low-income people and persons with disabilities and special needs.*

As documented, the Project will increase access to high quality housing for households of low and moderate income.

- iii. *Ensure that an adequate supply of new and existing housing is accessible to persons with*

66-68 High Street
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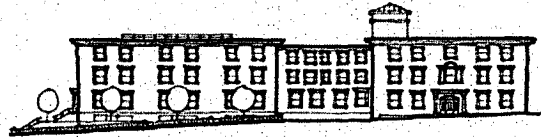


physical disabilities.

The Project has committed as part of its financing application to MaineHousing to provide a high number of fully-ADA compliant units than is required under state and federal building codes.

Section III: Two Key Questions

66-68 High Street Zone Map Amendment Application



Section III: Two Key Questions

This section address two key questions raised by the Planning Board during the July 27th Work Session.

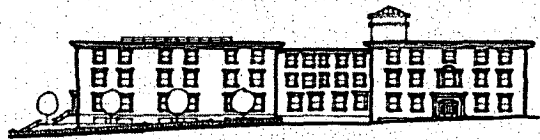
1. Why is the R7 Overlay—rather than Conditional or Contract Zoning—the appropriate zoning tool to use for the Project?

A R7 Overlay is the appropriate zoning tool to use for this Project for two reasons;

- a. The R7 Overlay was incorporated into the Zoning Ordinance “...to encourage and accommodate....” moderate and high density multifamily housing in appropriate locations on the peninsula and consistent with the city’s Comprehensive Plan. To the extent that there is a proposed development that is 1) moderate to high density multifamily housing, 2) in an appropriate location, 3) consistent with the City’s Comprehensive Plan AND 4) can be developed in conformity with R7 zoning standards, then the R7 Overlay is the tool created by the City Council to encourage and accommodate that development. The enclosed information clearly illustrates that the Project meets the three threshold tests outlined above. Furthermore, the Project as proposed can be developed in conformity with all R7 zoning standards, as detailed in the zoning analysis below.

Description	Residential R-6	Residential R-7	Proposed Project
Multi-family Dwellings	Permitted	Permitted	----
Minimum Lot Size	4,500 Square Feet	None	23,797 Square Feet
Minimum Street Frontage	40 Feet	None	200 Feet
Minimum Front Yard Setback	10 Feet	None	15 Feet
Minimum Side Yard Setback	10 Feet (3 Stories)	5 Feet	25 Feet
Minimum Rear Yard Setback	20 Feet	5 Feet	30 Feet
Minimum Lot Width	50 Feet	30 Feet	200 Feet
Maximum Lot Coverage	40 Percent (20+ Units)	100 Percent	57 Percent Building Coverage 76 Impervious Surface Coverage
Maximum Density	1,200 SF/Unit	435 SF/Unit	680 SF/Unit
Maximum Bldg. Height	45 Feet	50 Feet	45 Feet
Open Space Ratio	30 Percent (20+ Units)	None	24 Percent

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Parking Spaces	2 Spaces / Unit plus 1 space/6 units	1 Space / Unit	15 Spaces (Building Addition)
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It is important to note that there have been three comparable multifamily housing developments located in close proximity to the Project that have been approved by the City Council under Conditional or Contract Zoning. These three projects—41 State Street (Casco Terrace), 53 Danforth and 81 Danforth—required conditional zoning because, in part, they did NOT meet R7 Overlay zoning requirements for density and parking; that is, these projects could not be developed under an R7 Overlay and, therefore, required conditional zoning. The proposed Project is materially different from the three previous multifamily housing developments approved for this neighborhood in that it can be built in compliance with R7 zoning standards.

- b. Conditional or Contract Zoning is intended, generally, as the zoning tool of last resort and, specifically, for the purpose of ensuring that a development project, which has a unique or unusual feature is ultimately consistent with the City's Comprehensive Plan.

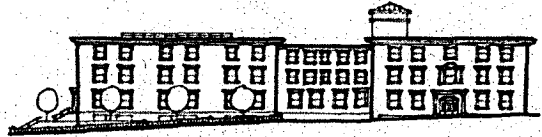
As indicated above, the Project can be built using an R7 Overlay and, as such, the R7 Overlay is the least restrictive tool available to the Planning Board and City Council to encourage and accommodate the proposed development. The fact that the Project can be developed using an R7 Overlay further suggests that there is not an unusual nature or unique location of the development. Finally, as demonstrated within this submittal, the Project is consistent with the city's Comprehensive Plan, and, going forward, the Planning Board and City Council can ensure that this project remains consistent with the Comprehensive Plan using the R7 Overlay, as well as Site Plan and Subdivision review.

- 2. **Should an R7 Overlay be utilized for this project—rather than Conditional or Contract Zoning—given that it will provide the property owner the right to build up to 54 housing units (even though the applicant only proposes 35 units)?**

Any concern that 54 units could theoretically be developed on the site should a R7 Overlay be approved is mitigated by the three factors;

- a. **Remaining Regulatory Review Process:** If an R7 Overlay is approved, the Planning Board and city will regulate what is ultimately developed on this site through the Site Plan and

66-68 High Street Zone Map Amendment Application



Subdivision approval process. Of particular note, since the site is located in a locally designated historic district, any development involving this property must also receive a Certificate of Appropriateness from the city's Historic Preservation Board as part of the Site Plan review. In issuing that certificate, the board will apply the Secretary of Interior Standards for Historic Preservation—which include review of any new construction and additions. Therefore, even after an R7 Overlay is approved, the city will continue to have direct purview over the scale, massing and density that is proposed for this site.

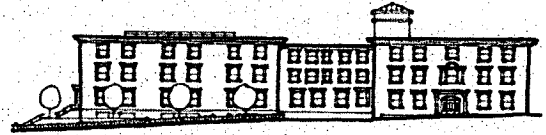
To support the case outlined above, the concept development plans presented in this submittal are based directly on feedback the project team received during initial discussions with its historic consultant and the city's Historic Preservation Program Manager. Based on this initial input, it is unlikely that a 54-unit project—and the associated building mass necessary to accommodate that number of units—could receive a Certificate of Appropriateness from the Historic Preservation Board.

- b. **Practical Finance Limiting Considerations:** CHOM has received a preliminary financing approval from MaineHousing based on a 35-unit project. If the unit count is increased, CHOM will have to resubmit a financing plan to MaineHousing, thus jeopardizing the in-place financing commitment for the Project.

- c. **Practical Site Limiting Considerations:** Notwithstanding Historic Preservation Board approval, the maximum number of units that this site can accommodate under the R7 Overlay is significantly restricted by physical site issues. Specifically, the R7 Overlay requires a 1:1 parking ratio for each unit added to the site as part of a new addition. Absent multi-level structured parking—which is financially and politically infeasible—the site can only accommodate an estimated 17 parking spaces and, therefore, 17 apartment units in the new addition. The existing building because of its layout and historic nature has physical constraints that make it highly unlikely that it could accommodate 34 marketable units. (CHOM is proposing 20 units in the existing building based on input from its architect, engineer, and historic consultant, as well as findings from a market study.)

Notwithstanding the three mitigating factors outlined above, it is also important to note that Conditional or Contract Zoning is not an absolute safeguard that 35 (or fewer) units will be developed on this site. For example, the conditional zone process might result in negotiated site development requirements that increase the total development costs, which in turn could necessitate a higher number of units (and rental income) to offset those costs. Or put another way, in terms of policy, the negotiated site development requirements may be a higher priority for the city than capping the project to 35 units. As demonstrated by the three most recently approved multifamily housing properties near this site, there is strong precedent for the

66-68 High Street Zone Map Amendment Application



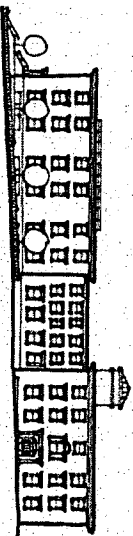
Planning Board and City Council to support much higher densities in this neighborhood through Conditional and Contract Zoning than the density proposed for the Project.

Exhibit A:

Map: Non-Conforming (Density) Multifamily Housing Properties, Greater than 4 Units, Subject Neighborhood



66-68 High Street Zone Map Amendment Application

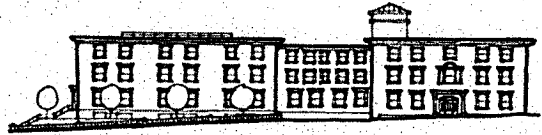


**Exhibit A:
Chart: Non-Conforming (Density) Multifamily Housing Properties, Greater than 4 Units, Subject Neighborhood**

Non-Conforming (Density) Multifamily Rental Properties Greater than 4 Units, West End 96 Zone
Data provided by the City of Portland Assessors Database

street	address	name	building size (sf)	lot size (sf)	units	Density (units/sf)
Brackett	39		9,728	4,450	6	742
Brackett	46	PROP		3,690	5	738
Brackett	42	Shalom		5,284	16	364
Clark	184		5,616	3,021	6	504
Clark	170		7,865	4,461	6	744
Clark	146		6,567	5,668	7	810
Danforth	92		7,860	2,625	12	219
Danforth	53	53 Danforth		16,568	43	385
Danforth	115	75 State (incl lot 044-5001 on danforth)		85,907	149	577
Danforth	180	Beverly		7,050	10	496
Danforth	77		5,320	4,624	9	514
Danforth	75		5,380	4,422	8	553
Danforth	206		6,235	4,050	7	579
Danforth	130		7,014	3,555	6	593
Danforth	214	Stairway Arts		6,286	6	742
Danforth	67		8,694	7,133	7	1,026
Danforth	240	Danforth Heights		60,512	67	1,061
Danforth	254		11,000	6,365	6	1,061
Danforth	284	Portland Housing Authority		102,610	150	659
Emery	104		4,484	3,120	6	520
Emery	133		8,152	4,286	6	714
Emery/Emery	87		12,552	4,287	6	715
Emery	108		9,694	5,173	6	862
Gray	63		11,184	7,986	10	759
Gray	64	Peregrine		3,392	7	600
High	69		6,636	4,420	11	402
High	90		9,420	4,738	10	478
High	65		6,671	5,146	9	572
High	51		10,872	8,890	12	741
High	24		13,132	9,376	12	782
High	28		7,872	5,474	7	782
Park	100		9,924	2,650	8	331
Park	114		6,749	2,000	5	400
Park	22		6,790	3,878	8	485
Park	112		8,934	2,650	5	530
Park	129		7,654	6,503	12	542
Park	51		10,186	7,491	12	624
Pine	77	Butler School		49,254	39	429
Present	120		6,236	2,786	9	310
Salem	8		7,960	4,160	9	462
Salem	48	Danforth Heights		75,424	69	960
Spring	126		3,694	2,123	6	354
Spring	314		17,660	7,849	19	413
Spring	237		8,870	4,673	11	425
Spring	204		8,200	3,768	8	471
Spring	262		6,238	4,119	7	588
Spring	281		7,432	7,982	9	887
Spring	124	Shalom		42,424	42	214
State	59		169,748	56,551	168	346
State	100	100 State		37,264	27	376
State	41		6,704	2,787	7	398
State	177		11,719	8,850	17	521
State	131		6,430	2,646	5	529
State	171		14,493	11,286	21	537
State	36		10,800	5,470	10	547
State	173		11,956	9,037	15	602
State	51					

**66-68 High Street
Zone Map Amendment Application**



State	62	16,596	15,118	25	605
State	54	7,784	6,234	7	891
State	111	14,414	11,042	12	920
State	125	9,456	8,825	9	981
State	27	6,988	7,000	7	1,000
State	32	14,700	8,432	8	1,054
Tyng	39	9,408	7,339	7	1,048
West	30	34,320	11,292	44	257
York	127	11,764	7,122	12	594
York	153	5,466	3,100	5	620
York	193	5,148	4,799	5	960

66-68 High Street
Zone Map Amendment Application

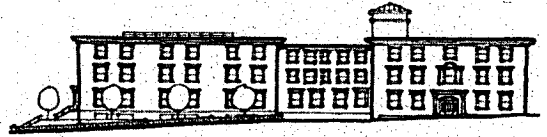
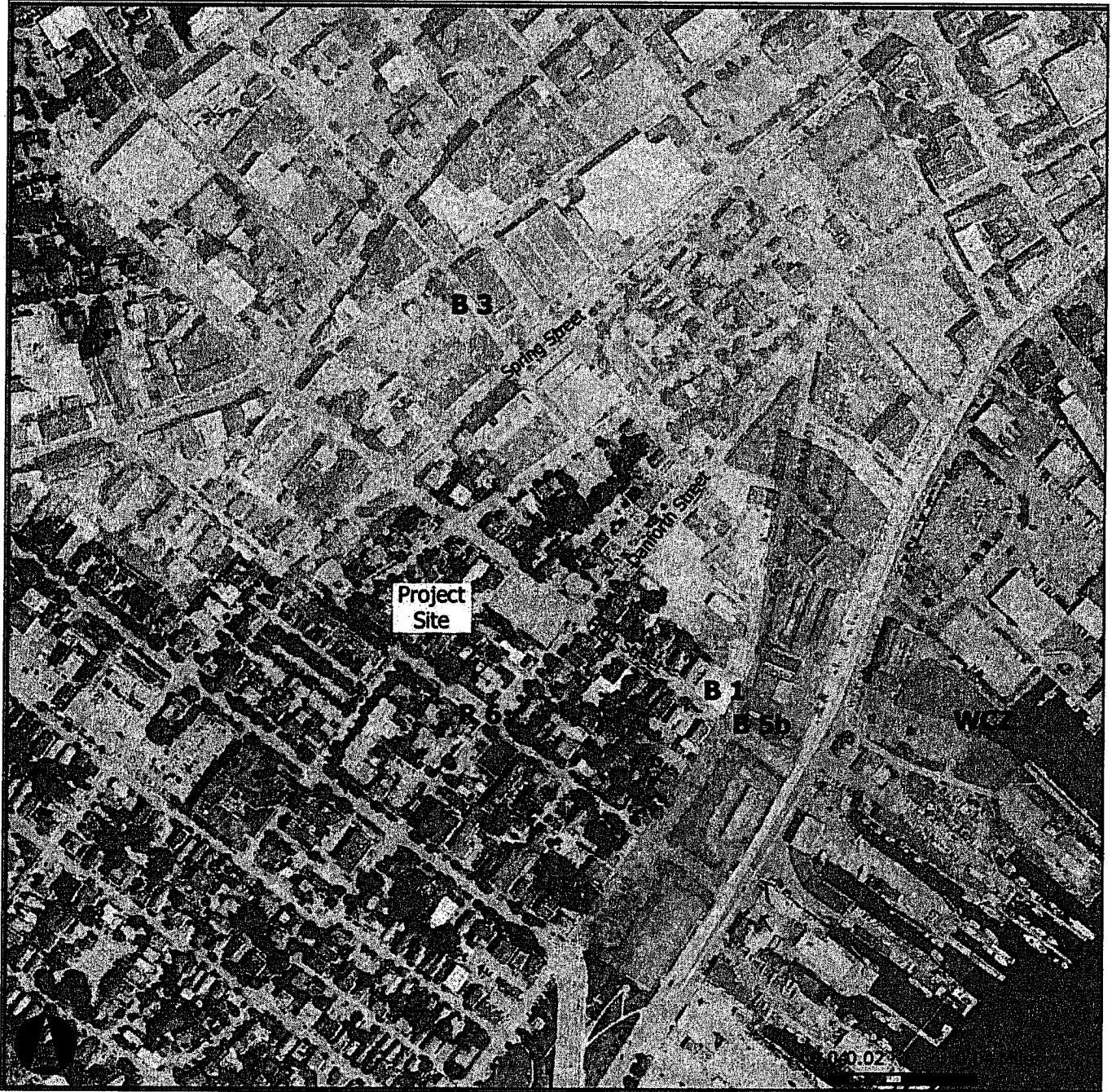
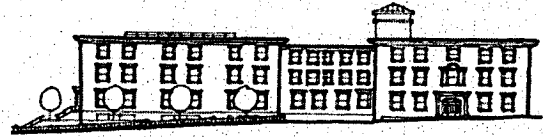


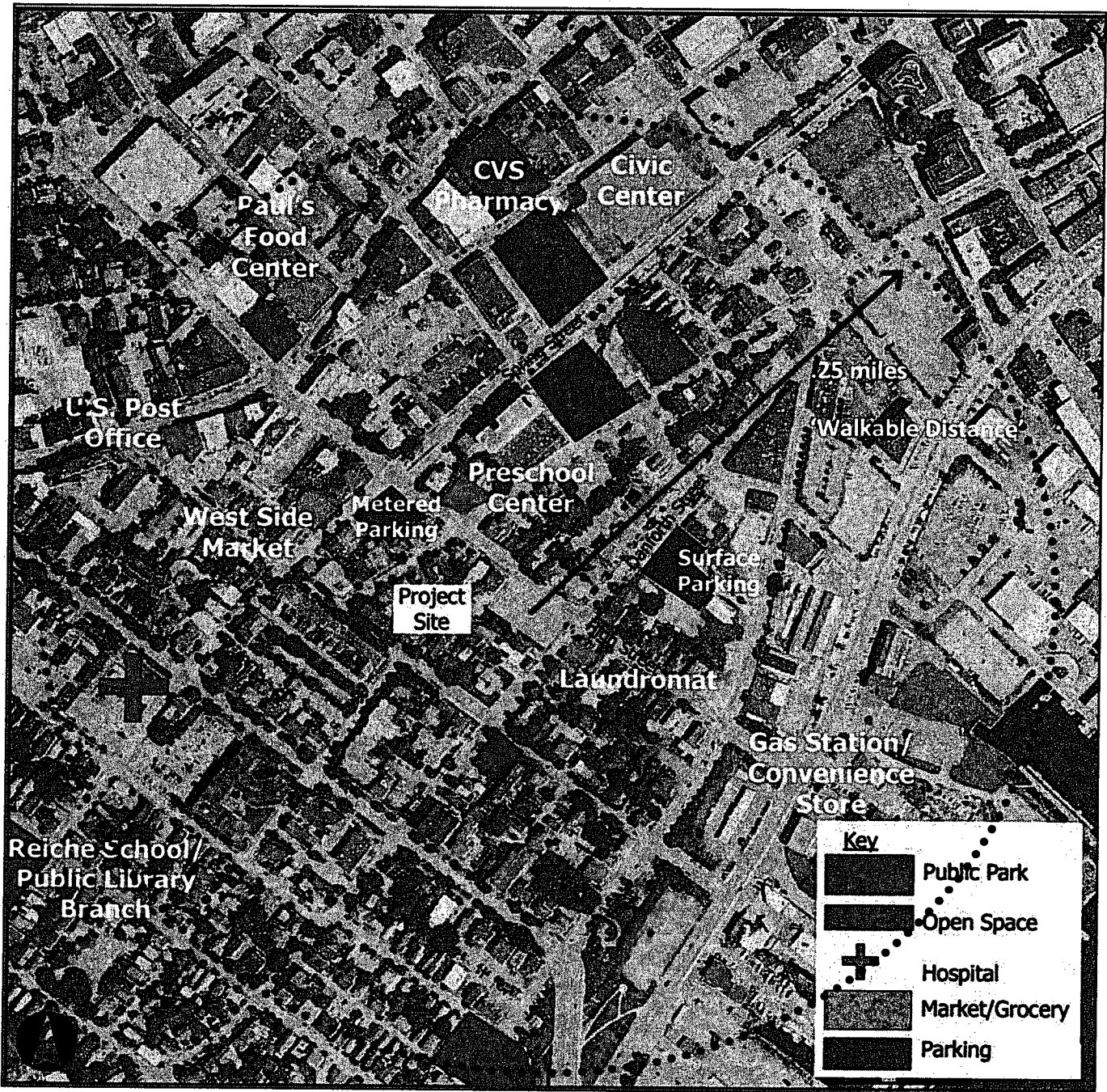
Exhibit B
Map: Zoning Districts in Subject Neighborhood



66-68 High Street Zone Map Amendment Application



**Exhibit C:
Maps: Neighborhood Assets & Off-Street Parking**



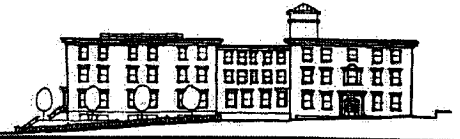
66-68 High Street



NEIGHBORHOOD MEETING

August 19th, 2010

66-68 High Street



SCHEDULE/AGENDA

1. Introduction (Todd Alexander | Community Housing of Maine)
 - a. Housekeeping Items
 - b. Why are we here?
 - c. Our Vision

2. Conceptual Design Plans
 - a. Historic Site (Scott Hanson | Sutherland Conservation & Consulting)
 - b. Building Design (Ben Walter | CWS Architects)
 - c. Site Plan (John Mitchell | Mitchell & Associates, Landscape Architects)

3. What makes this 'affordable' and 'workforce' housing? Who's going to live here? (Todd Alexander | CHOM)
 - a. Affordable Housing
 - b. Workforce Housing

4. Why is CHOM doing this?

5. Public Comment/Q&A

66-68 High Street



<<PLACE HOLDER: HISTORIC SITE SLIDES>>

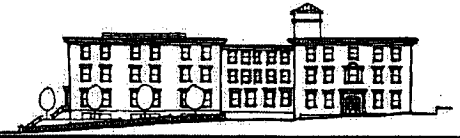
66-68 High Street



CONCEPTUAL DESIGN: BUILDING ELEVATION FROM HIGH STREET



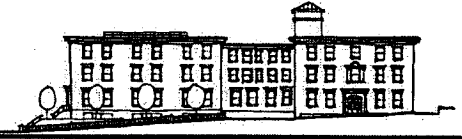
66-68 High Street



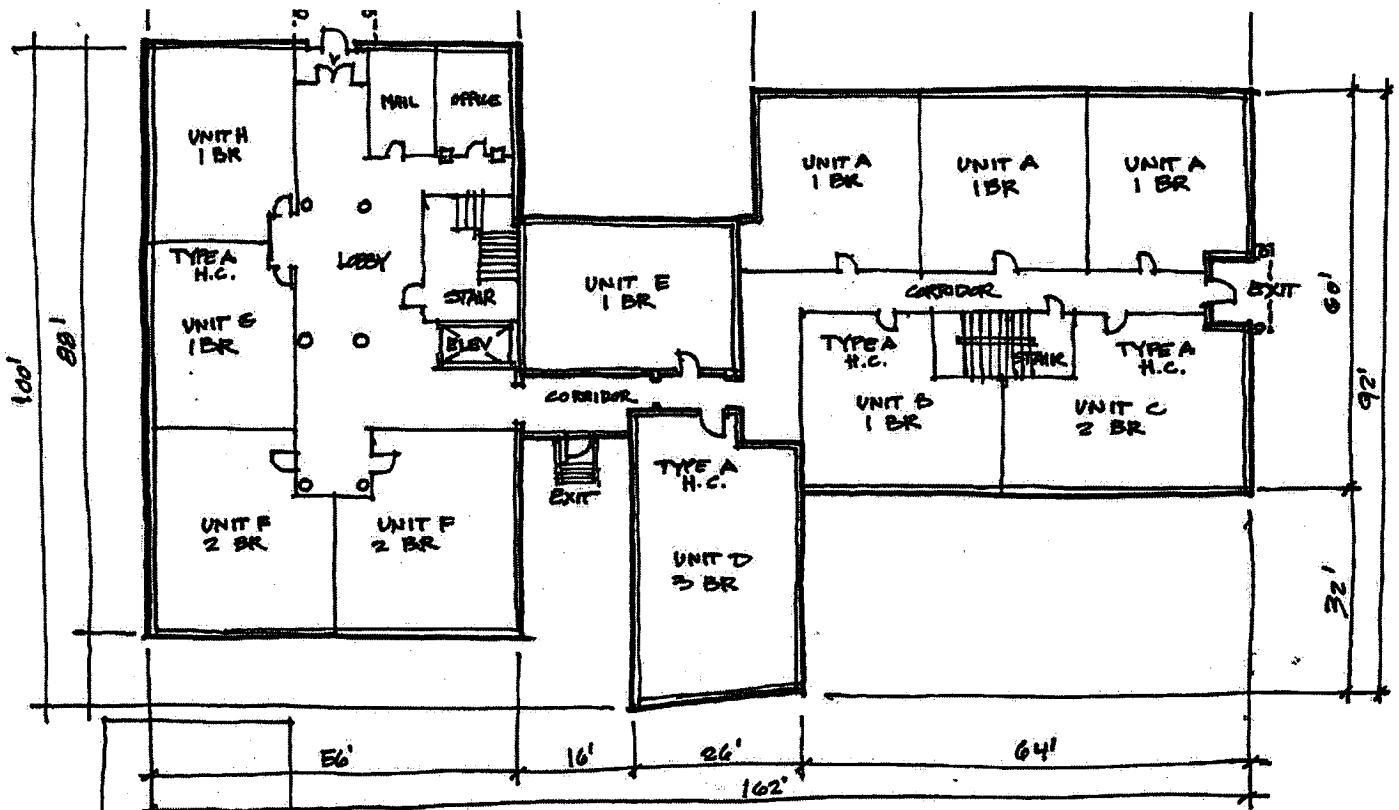
CONCEPTUAL DESIGN: BUILDING ELEVATION FROM DANFORTH STREET



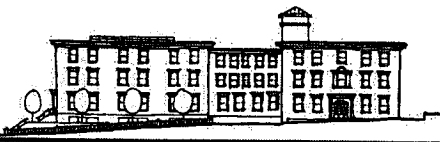
66-68 High Street



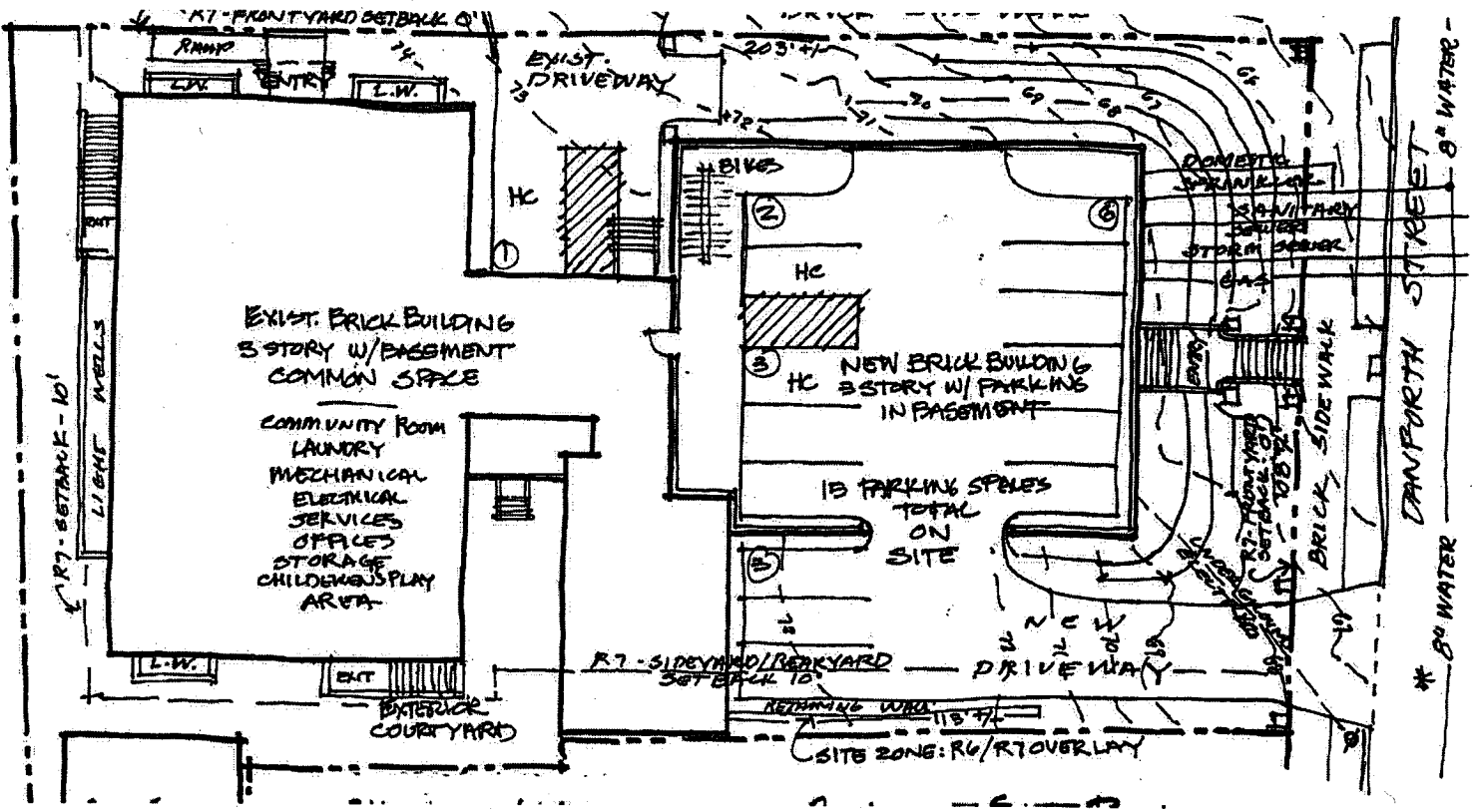
CONCEPTUAL DESIGN: REPRESENTATIVE RESIDENTIAL FLOOR PLAN



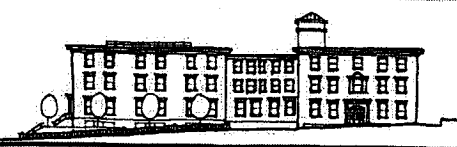
66-68 High Street



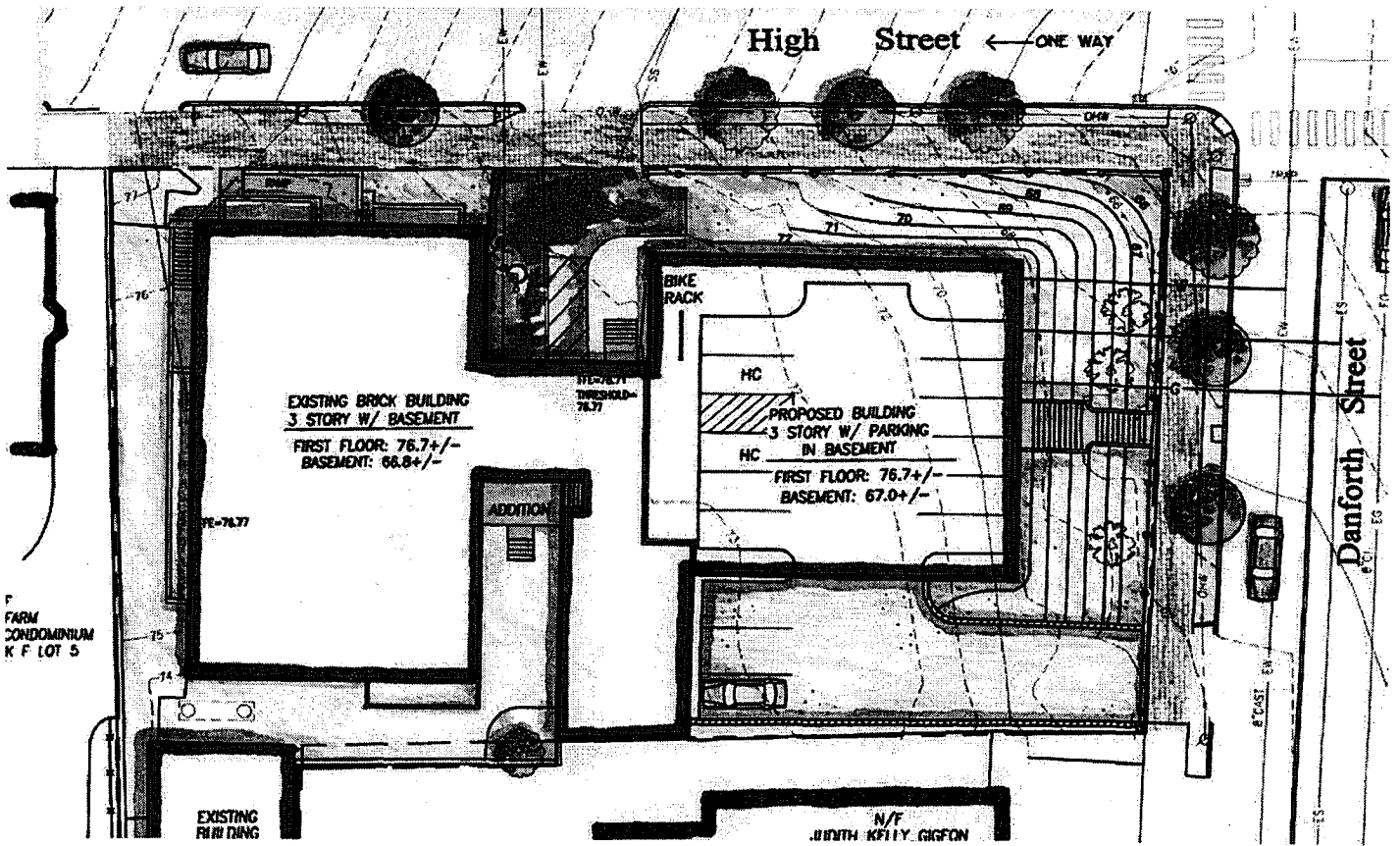
CONCEPTUAL DESIGN: BASEMENT LEVEL / GARAGE FLOOR PLAN



66-68 High Street



CONCEPTUAL DESIGN: SITE PLAN



66-68 High Street



WHAT MAKES THIS 'AFFORDABLE' AND 'WORKFORCE' HOUSING? (WHO WILL LIVE HERE?)

o Affordable Housing:

➤ As a condition of the financing that the project will receive, there will be a 1. maximum income that an applicant can have to be eligible to live at the property and 2. a maximum rent that we can charge. Those maximums are below 'market' averages.

➤ If the property was operating today, the maximum income and rent levels would be;

Estimated Maximum Income Caps

Household Size	Maximum Income Levels		Portland Median Income
	Type I Apts	Type II Apts	
1 person	\$25,500	\$30,600	\$51,000
2 person	\$29,150	\$34,980	\$58,200
3 person	\$32,800	\$39,360	\$65,500
4 person	\$36,400	\$43,680	\$72,800

Estimated Maximum Rents

Unit Type	66-68 High Asking Rents		Market Rents
	Type I Apts	Type II Apts	
1 bedroom	\$635	\$775	\$930
2 bedroom	\$765	\$925	\$1,110
3 bedroom	\$880	\$1,065	\$1,295

66-68 High Street



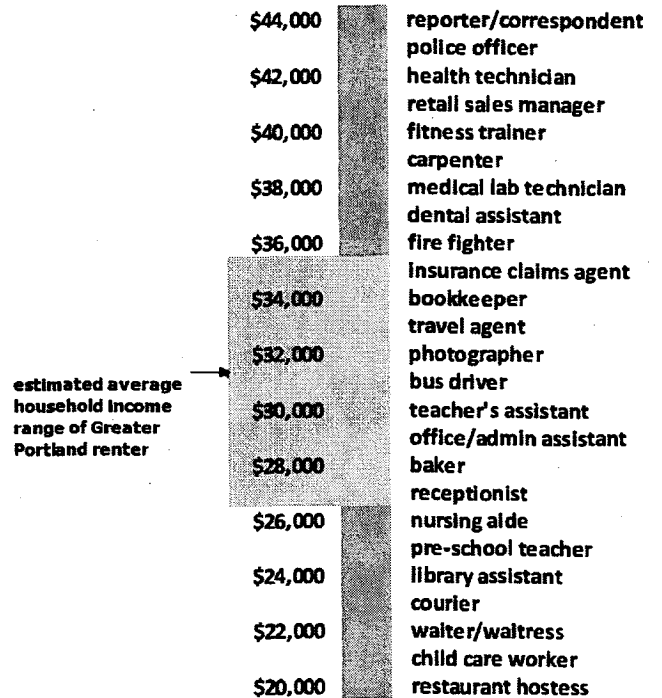
WHAT MAKES THIS 'AFFORDABLE' AND 'WORKFORCE' HOUSING?

o Workforce Housing:

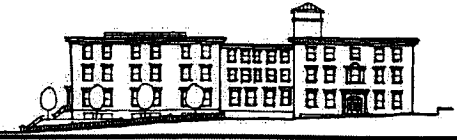
➤ Regardless of maximum income levels, an applicant must also demonstrate the ability to pay the asking rent.

➤ If the property were operating today, the income range that an applicant should be within to be eligible to live at the property would be approximately \$20,000 to \$44,000, depending on household size. This range compares favorably to the average household income of the average renter in Greater Portland, as well as average wages for many peninsula based occupations.

Estimated Minimum and Maximum Income Levels of Eligible Applicants as Compared to Average Wages by Occupation in Portland MSA



66-68 High Street



WHY IS CHOM DOING THIS?

○ CHOM'S mission is to create, own and operate housing for at-risk and underserved populations. In Greater Portland (and other areas of Maine), low and moderate income households are an at-risk and underserved population as it relates to high-quality affordable rental housing. The problem in Greater Portland is two-fold; 1) severe lack of supply, 2) average rents are unaffordable for the average renter.

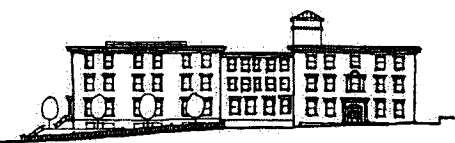
○ Lack of Supply:

- Portland just completed its Strategic 5-Year Consolidated Plan for Housing & Community Development and determined that the city requires 3,408 new rental units over the next 15 years to meet projected new demand—a production rate of roughly 225 apartments per year.
- A market study completed this spring determined that the vacancy rate for affordable rental properties in Greater Portland is estimated to be 2.0% -- which, factoring in down units as part of normal unit turnover, translates to an effective vacancy rate of 0%.
- CHOM recently completed a phone survey of comparable rental properties on the Portland peninsula representing more than 1,200 units. Included market rate, mixed income and affordable properties. Total number of vacant units: 14.

○ Low Affordability:

- The average income required to afford the average 2-bedroom apartment in Greater Portland is \$41,225. The average renting household in Greater Portland earns between \$27,225 and \$35,313 annually.
- There are 15,750 renters in Portland. Of these 42% are either Cost Burdened or Severely Cost Burdened.

66-68 High Street



END OF PRESENTATION

PLEASE SIGN IN

Name	Address	Phone	Email
Jean Donnen	88 Park St. #1 (04101)		Joana@myfairpoint.net
Sheryl McGinnis	5 Stratton Rd	774-5030	SHE smcgins6@gmail.com
David Fenton	796 Park St		crossleedr32@yahoo.com
Karen Harrison	PO Box 7784 / 04112	774-0025	karen.harrison@maine.edu
ANNIE PRINGLE FOR ALEX PRINGLE	72 HIGH ST 04101	318-5019	OLDMAYOR@MANK.M.C.07
Isabel Anderson	124 Pleasant St.	776-3311	isauder ¹⁹³⁶ @yahoo.com
DAVID LACASSE	80 HIGH ST	831-1980	LOAFKIT@MAINE.RR.COM
JANE FORAN	94 PARK ST	329-7579	JANE FORAN 2 AOL.COM
Judith Kelly	97 Danforth	415-6423	jikelly2@maine.rr.com
Ellen Call	77A Park St. 04101	761-2888	CallEllenFWM@aol.com
Tilly Weir	59 State St. # 47		etweir1@gmail.com
Rosanne Graef	30A Salem St. 04102		rgraef@qwi.net
John HARRISON	67 High St.	773-1376	67HighSt@gmail
Joseph Thompson	67 High	773-1376	j7731376@gmail
Hilary Bassett	93 High St, Greater Portland Landmarks	774-5561	hbassett@portland Landmarks.org
Nate Huckel-Bauer	78 High St. #1		
Tanya Richards	74 High St #2		tanyanas@gmail.com
Christine Hey	74 High St		Chey@Maine.RR.COM

Children's Hospital Neighborhood Meeting 8/19/2010

Neighbors in attendance: Justine Alynn, Isabel Anderson, Hillary Bassett, Ellen Call, Jamie Campbell, Joan Donnen, Nancy Dorrans, David Fenton, Jane Foran, Rosanne Graef, Steve Graef, John Harrison, Karen Harrison, Christine Heye, Nate Huckel-Bauer, Judith Kelly, David LaCasse, Pandora LaCasse, Pamela Lord, Sheryl McGinnis, Ellen Murphy, Anne Pringle, Tanya Richard, Sarah Schindler, Robert Theberge, Joseph Thompson, Tilly Weyl.

CHOM Staff in attendance: Todd Alexander, Erin Cooperrider, Cullen Ryan, Kyra Walker, and Lee Andrews

Other collaborative partners in attendance: Scott Hanson, Ben Walter, John Mitchell and Sashie Misner.

Meeting called to order by Todd Alexander at 6:38pm.

1. Todd gave a brief introduction of CHOM, what we do and who we are. Todd introduced the development team- himself and Erin Cooperrider.
2. Erin introduced other CHOM staff including the Asset Management team, Kyra Walker and Lee Andrews, and Cullen Ryan, the Executive Director. The design team was introduced Scott Hanson, Sutherland Conservation & Consulting; Ben Walter, CWS Architects; and John Mitchell, Mitchell & Associates, Landscape Architects.
3. Why is CHOM here?
 - a. CHOM has started the permitting process and wanted to provide information and get feedback from the neighbors.
 - b. CHOM is a non-profit housing developer with 14 years of experience. CHOM is different from other non-profit housing developers because of the collaborative approach used. CHOM collaborates with the neighbors, various service providers, architects, landscapers, etc. CHOM believes that good collaboration equals success. Erin suggested people visit the website to better understand CHOM's work and experience www.chomhousing.org
 - i. **Q:** Where on the peninsula does CHOM have other projects?
A: Erin responded; there are none on the peninsula yet and that is mainly because there is already a lot of talent in the development of affordable housing in Portland. The motivation to do this project was the opportunity introduced to CHOM to do something really great with this building in particular.
 - c. Name for the project – there is not a name for the project currently. The goal is to do a great project with support from the neighborhood and the city; this will be CHOM's neighbor as well. Given the building, the neighborhood, and the CHOM team, we know that we can achieve success. There will be ongoing collaboration to ensure this project remains successful.
4. Scott Hanson, Sutherland Conservation & Consulting – Scott's involvement with this project is focused on guiding the process for use of historic preservation tax credits and approvals through the Historic Preservation Board.
 - a. History of site – Scott gave a brief history of the Mussey Mansion which was built in 1876. In 1910 the Mussey Mansion was combined with Children's Hospital. In 1909 the Children's Hospital was completed extending onto High Street and it stood this way from 1909-1962. In 1942 the mansion was covered with ivy and the fence was installed, which still stands today.
 - b. The new plan – the goal is to restore the site to the existing building footprint. For $\frac{3}{4}$ of the time the building existed, there was a structure that extended onto High Street.
5. Ben Walter, CWS Architects - has collaborated with CHOM for 6 years. CWS has mostly focused on multifamily housing and restoration work. CWS tends to work in more urban settings in restoring historic buildings to allow an additional 100 years of use. Their most recent work has been the Bessey School in Scarborough. This project is a similar restoration to High Street in that they are historic tax credit, affordable housing, and historic

preservation rehabilitation projects. CWS's most current work with CHOM includes Maine Hall in Bangor, also a historic restoration for affordable housing on the Bangor Theological Seminary campus.

- a. First approach - what is the best way to restore the historic building? Preserve the character of the lawn that wraps around the building. The terrace lawn in the design reflects that. Every historic photo shows elm trees; in the last 10 years they have developed new strains of elm trees that are disease resistant. Part of the project will re-introduce new elm trees. The elevator tower is an existing component, when looking at the historic photos it doesn't show the height.
 - i. **Q:** Pamela Lord - what are the utilitarian aspects of the building?
A: The plan of building comes first. Todd responded that we can talk further about that after the design presentation.
- b. Site sketch - there are several ideas for trash removal, one being the utilization of the service ally considering the original intent to use this area was for trash removal. Erin explained that some other specific ideas include an internal trash room and then the trash would be wheeled out to sidewalk. A dumpster is another idea. Todd added that one of the nice features in the building is the direct access to the back parking lot from the basement.
 - i. **Q:** Joseph Thompson - what is the minimal level of LEEDs certification required for this project?
A: Erin - while there is no requirement, CHOM's internal goal is to gain silver certification.
 - ii. **Q:** Nancy Dorrans - what is LEEDs?
A: Ben - Leadership in Energy & Environmental Design (LEED) is a green building certification system, providing third-party verification that a building was designed and built using strategies intended to improve performance in metrics such as energy savings, water efficiency, CO2 emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. Even though it is not required at this property, we may go for a LEED certification.
 - iii. **Q:** David Fenton - how are you going to heat the building?
A: We are not sure yet. We are looking at the building as a whole and will see what the most efficient heating system available is. We will undergo energy modeling to find the best return on our investment. Erin asked David if he has a preference. David's preference would be gas and something highly efficient.
- c. Ben went back to the site plan to discuss parking. The idea is to conceal parking so it doesn't look like a parking lot. Similar to the Victorian Mansion there would be a ramp leading down to parking so it would be below street level.
 - i. **Q:** Ellen Call - how many spaces will there be?
A: There is no definite answer yet, but the intent is to make adequate parking for the building.
 - ii. **Q:** Will most of the clients have cars?
A: There is a 15 parking space requirement. We are looking into alternate solutions such as a shared car for the property and/or renting additional parking spaces at another location.
 - iii. **Q:** Isabel Anderson - David Marshall said that the project would be feasible for people because it is only 1 block from Congress St, but it is actually 3 blocks, and that a grocery store is 3 blocks when it is actually 6 blocks away. This is not realistic in the winter for people who do not have vehicles.
 - iv. **Q:** Rosanne Graef - is there a requirement for 1:1 parking? Will every tenant have a parking space?
 - v. **Q:** Sarah Schindler - what are the permitting requirements?
A: The zone amendments - R7 compact residential overlay zone for this parcel. The purpose is to encourage and support high density traffic.
 - vi. **Q:** Pamela Lord - what is the average size of one unit?
A: 600 square feet for a 1BR, 800 square feet for a 2BR, 1000 square feet for a 3BR.

6. John Mitchell, Mitchell & Associates, Landscape Architects – John’s role is to assist in site design and to take the project through the permitting process. The site design is still in the conceptual stage. The site is a little over ½ an acre in size and is within the R6 zone, but is also eligible for the R7 compact overlay zone, which is what CHOM is requesting from the city. The former mansion is located on an elevated plateau facing Danforth Street. The proposal is to renovate the existing building into residential housing, construct a new edition on the former footprint of the Mussey Mansion, restore the grass slope on Danforth Street and High Street, and build a new stairwell to resemble the former stairwell. Access to the building will be off of Danforth, 110 feet from the intersection. There will be access through the basement to 11 parking spaces and there will be 4 additional spaces including a handicapped space. There will be a gated service entry for maintenance, etc. There will be new elm trees, with the remainder of the property landscaped with shrubs and trees. The minimum front yard setback is 15 feet from the building, under R7 there is no set back requirement. The side yard proposal is a 25 foot setback, R7 requirements are 5 feet. The rear yard proposal is a 30 foot setback, R7 requirements are 5 feet.
7. Todd – What is Affordable Housing? The Low Income Housing Tax Credit (LIHTC) program is the actual terminology. You will also hear the term “Workforce Housing” used as well.
- a. Data – What makes this affordable housing? The maximum income limit for residents is based on family size and there is a maximum rent limit depending on the unit size. The rents are slightly below market rents.
 - b. Workforce Housing – there is a minimum threshold for what the income has to be in order for someone to live in workforce housing. Generally that income falls between \$20,000 and \$44,000 annual income per year.
 - c. Why is CHOM doing this? CHOM’s mission is to own, operate, and manage at risk and underserved populations. There is a lack of affordable units in Portland’s housing market. Studies show that Portland needs to gain 3,400 additional rental units to meet the new demand. Vacancy rates hover at 1.5 -2% for affordable housing in Portland. CHOM conducted an internal survey and found that of 1,200 affordable housing units in Portland, only 14 of them were vacant. The average renter in Portland cannot afford the average rents. If someone is spending more than 30% of their gross income on rent or a mortgage, they are considered overburdened.
 - i. Q: What towns are included in the greater Portland survey?
A: Not sure if areas of Westbrook and South Portland are included.
 - ii. Q: Pamela Lord – who will manage this project?
A: CHOM will be the General Partner/owner of the property and will hire a third party manager to run the day to day operations. CHOM currently has a relationship with Preservation Management (PMI) and plans to have them manage this property. PMI is based out of South Portland and manages 1,250 units in Maine and over 7,100 units nationally.
 - iii. Q: Robert Theberge – what are the economics of the project? By my estimates, the cost will be \$242,000 per unit (8.5 million). How will affordable rents provide enough revenue to operate this property? Will rents be subsidized?
A: Rents will not be subsidized. Rental revenue will cover operating costs and the funding of a replacement reserve account. The LIHTC program was created as a mechanism to create affordable units with minimal (payable) debt. The LIHTC program incentivizes private investors to buy tax credits that the developer has been awarded which generates the financial resources to create affordable housing.
 - iv. Q: David Fenton – is the money only coming from historic tax credits?
A: More than \$2 million is. CHOM applies once for a 10 year allocation.
 - v. Q: David Fenton – would CHOM consider not adding the addition?
A: We need to get to a minimum threshold of units in order to create enough cash to cover operating expenses.
 - vi. Q: David Fenton – did you find that you could not do the project without the addition?
A: 35 is not the exact number, but more than 20 units are needed.
 - vii. Q: Anne Pringle – could we see a pro-forma that demonstrates the project is financially feasible and will not be possible with fewer units?

- viii. **Q:** Robert Theberge – does the Planning Board ask for a business plan? My concern is with the density being proposed in an R6 zone. If you can do 20 units in the R6 zone I would be happier with that.
A: It is very early on in the process so I am unaware if a business plan is required. A 20 unit property will not generate enough revenue to pay for the operating costs of the project.
- ix. **Q:** Ellen Murphy – what is the apartment size breakdown? Who do you expect to live in the property in terms of determining density?
A: There will be 20 (1 bedrooms), 12 (2 bedrooms) and 3 (3 bedrooms). We anticipate that the property will have an average of 1.5 people per bedroom with a comparable population to 51 Danforth St. Tenants will range from seniors to single people who want affordable housing on the peninsula in a professionally managed building. In our 3 existing workforce housing projects, tenants are primarily single parents with kids. The majority of our other residents are elderly, disabled, or single people starting their careers.
- x. **Q:** Karen Harrison – is there a mechanism to develop this property without going for the R7 zone change?
A: We need an R7 zone change as it will allow up to 57 units to be created. If the zone change was approved, but the project was never completed, the next project would also need approval from the city before it could move forward. In Portland, the Historic Preservation Board would need to issue a certificate of appropriateness; 57 units wouldn't happen automatically.
- xi. **Q:** Why not just apply for a contract zone?
A: We have been guided by city staff to apply for an R7 zone change.
- xii. **Q:** Pandora LaCasse – how many people per unit do you envision in these units?
A: No more than 2 people per bedroom.
- xiii. **Q:** Pandora LaCasse – I looked at the CHOM website and it seems that this project is larger than most of the projects that you have developed.
A: CHOM and our management company have a lot of experience. We are very proud of our smaller supportive housing properties that are featured on our website. We have developed other workforce housing properties throughout the state (In addition to 66-68 High St - 3 are complete, 2 are under development). Though CHOM isn't large enough to manage this many units in house, PMI is a national management company with a lot of experience. CHOM will continue to work closely with PMI after initial lease-up.
- xiv. **Q:** Hilary Bassette – our group would like to meet with your team.
A: Great!
- xv. **Q:** Anne Pringle – will you allow people to stay in their unit if their income goes up or will they be forced to move out because they will be considered over income? Will you take Section 8 vouchers? Can you change the use of this housing from affordable to supportive housing in the future? What will happen if the project doesn't work?
A: There are many people involved in reviewing the feasibility of this project. Rental income will support operations. The commitment for affordability is long-term (90 years) and there won't be a change of use. Residents are recertified by management annually and in most cases can stay in the property as their income increases. Section 8 vouchers will be accepted.
- xvi. **Q:** Anne Pringle – the vacancy rates that you presented seem low. Can we see the survey showing the vacancy rates?
A: We rely on reports that we have been given. We would be happy to show you the data we received.
- xvii. **Q:** Joseph Thompson – higher density projects put a strain on social services, police, fire, etc.
A: This project will pay city taxes. Police and fire departments will weigh in during the planning process.

xviii. **Q:** Sheryl McGinnis – there are not enough people in attendance. The main concern for the residents of Stratton Place is we don't want to lose green space.

A: This is definitely not the last meeting. There will be numerous opportunities for public comment. I encourage you to think creatively about what the community wants for green space so we can approach the city with potential ideas.

xix. **Q:** Nate Huckel-Bauer – where will the kids living at the property go to daycare? Will there be green space, and will it be open to the public?

A: We are also thinking about where the kids will play and want the property to be integrated within the community. We are investigating the possibility of a daycare within the building? We want to work with neighbors to create green space, but have to work within the constraints placed upon us.

xx. **Q:** Ellen Murphy – since there will only be minimal parking at the property, will there be a bus stop shelter and other transit amenities added near the property?

xxi. **Q:** Robert Theberge – has there been a preliminary study done on infrastructure to see if the city can handle the additional units? **Note:** Elm trees planted below CMP lines in the 4 foot space between the sidewalk and street is not a good idea.

Meeting was adjourned at 8:25pm.

Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (title).

I also certify that on (date at least seven days prior to the neighborhood meeting), invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development or within 1000 feet of a proposed development in an industrial zone and the residents on the "interested parties" list.

Signed,



8/30/10 (date)

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes



Board Members

Joanne Campbell
Sr. Vice President
Camden National Corporation
Board President

Randy Blake
President
R Blake Real Estate Svcs, LLC
Board Treasurer

Aaron Shapiro
Community Development Director
Cumberland County
Board Secretary

Robert Baldacci
President
Baldacci Group

Peter Brown
Program Director
Strive University

dee Clarke
Advocate
Homeless Voices for Justice

Chris Danse
Contractor, Builder,
and Neighborhood Activist

Kendra Danse
Clinical Director
MaineStay

Gunnar Hubbard
President
Fore Solutions

David Lakari
President
Renewal Housing Associates, LLC

Jan McCormick
Vice President of Asset Mgmt.
Northern New England Housing
Investment Fund

Christine Ndayishimiye
Unit Helper, NICU
Maine Medical Center

Luc Nya
MaineCare Benefits Coordinator
for Children Under 21
Maine DHHS

Randy Poulton
Vice President
Nickerson and O'Day, Inc.

Staff Contacts

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Jade Doyle
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Jim Gwilym
Accountant/CFO

Kyra Walker
Asset Management Director

Lee Andrews
Asset Manager

Samira Bouzrara
Operations Assistant

August 10, 2010

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a redevelopment project at 66-68 High Street. Community Housing of Maine is planning to convert the former Children's Hospital building and site of the historic Mussey Mansion into 35 units of workforce housing.

Our vision for 66-68 High Street is to create a high-quality housing resource for the City of Portland that incorporates the best features of workforce housing, historic preservation, green design and smart growth principals. This will be an opportunity for you to participate in the design process and share your ideas with the development team.

Meeting Location: 66 – 68 High Street
Meeting Date: Thursday, August 19, 2010
Meeting Time: 6:30 p.m. – 8 p.m.

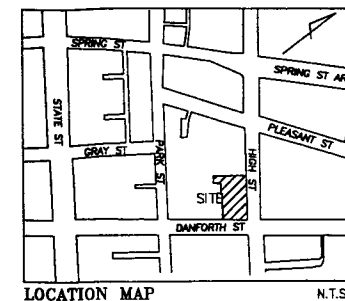
If you have any questions, please call me at 879-0347.

Sincerely,

Todd Alexander
Development Manager

Note:

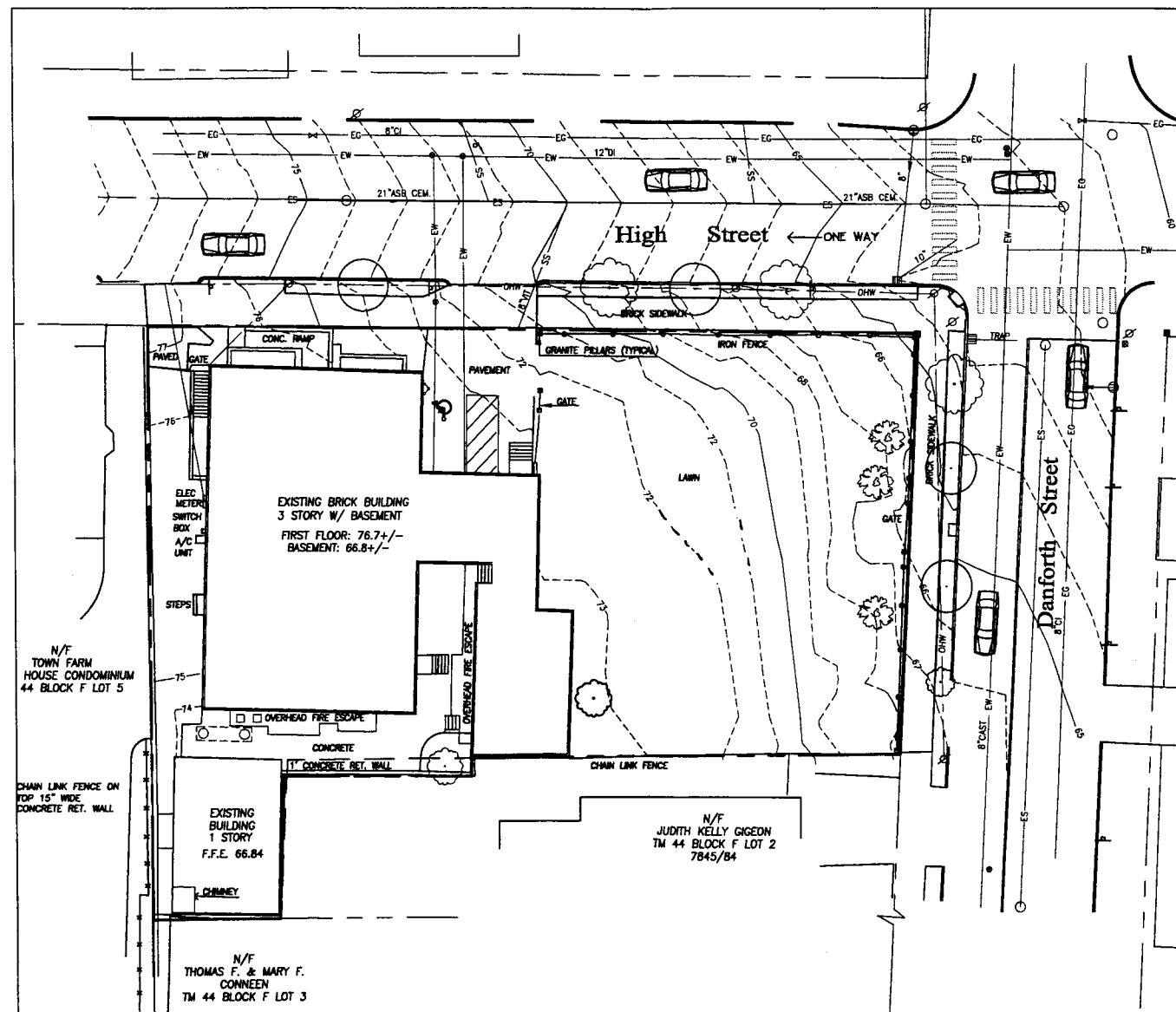
Under Section 14-32© of the City Code of Ordinances, an application for a major development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Department of Planning and Development, Planning Division 4th Floor, 389 Congress Street, Portland, ME 04101 or by email to bab@portlandmaine.gov.



Prepared For:
 Applicant:
**CHOM, Children's Hospital
 Housing Partners, LP**
 309 Cumberland Avenue
 Suite 203
 Portland, Maine 04101

Prepared By:
MITCHELL & ASSOCIATES
 Landscape Architects
 The Staples School
 70 Center Street
 Portland, Maine 04101
 Tel: (207) 774-4427

Children's Hospital Apartments
 56-70 High Street
 Portland, Maine



Plan References:

1. "CONDOMINIUM PLAT, OLIVER B. DORRANCE HOUSE, 99-101 DANFORTH ST., PORTLAND, MAINE, MADE FOR 99-101 DANFORTH ST. ASSOCIATES." DATED AUG. 06, 2001 AND RECORDED IN PLAN BOOK 201 PAGES 394, 395.
2. SECOND AMENDED SURVEY, THE CARROLL MANSION A CONDOMINIUM, 77 PARK STREET, PORTLAND, MAINE DATED 6-20-84 (REVISED 3-20-85) AND RECORDED IN REGISTRY OF DEEDS PLAN BOOK 146 PAGE 60.
3. PLAN OF TOWN FARM TOWNHOUSE CONDOMINIUM, HIGH & PLEASANT ST., PORTLAND, MAINE MADE FOR PLEASANT STREET DEVELOPMENT ASSOCIATES DATED 8-2-84 AND RECORDED IN REGISTRY OF DEEDS PLAN BOOK 145 PAGE 46.
4. BOUNDARY & TOPOGRAPHIC SURVEY AT 87-93 DANFORTH ST., 56-70 HIGH ST., PORTLAND, MAINE MADE FOR USM FACILITIES MANAGEMENT DATED JANUARY 02, 2007 BY OWEN HASKELL, INC.

Notes:

1. OWNER OF RECORD: UNIVERSITY OF MAINE SYSTEM
 TM 44 BLOCK F LOT 1
 BOOK 9983/183
2. BEARING ORIENTATION IS BASED UPON PLAN REFERENCE 1.
3. ELEVATIONS HEREON ARE BASED ON CITY OF PORTLAND DATUM. BENCHMARK IS THE TOP OF A GRANITE MONUMENT AT SOUTHWEST CORNER OF DANFORTH AND PARK STREET ELEVATION 75.95'.
4. THE PROPERTY LIES IN ZONE R-6 RESIDENTIAL ZONE.

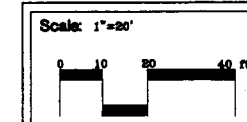
Date:
 AUGUST 30, 2010

Issued For:
 ZONING MAP AMENDMENT

Revisions:

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Title:
 EXISTING CONDITIONS PLAN



North:

Sheet No.: **1**

PBM

Memorandum
Department of Planning and Urban Development
Planning Division



TO: Chair Hall and Members of the Portland Planning Board

FROM: Shukria Wiar, Planner

DATE: September 10, 2010

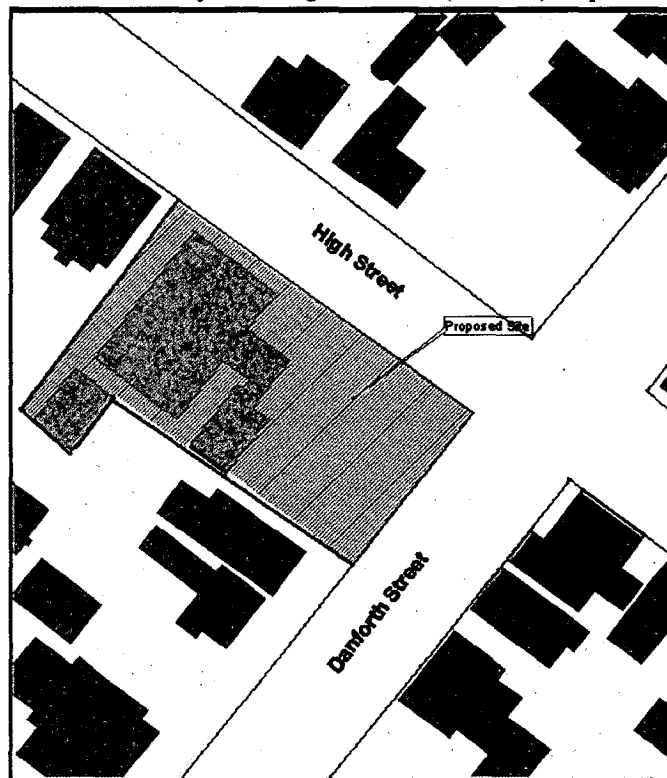
RE: **Planning Board Workshop for 66-68 High Street- Request for Zone Change
Community Housing of Maine (CHOM), Applicant
Erin Cooperrider, Agent**

I. INTRODUCTION

This is a second workshop meeting to consider Community Housing of Maine (CHOM) request for a zoning map amendment to rezone 66-68 High Street (corner of High and Danforth Streets) from Residential R-6 to Residential R-7. The parcel consists of approximately 23,797 square feet (.539 acres) of land area. The applicant is requesting the zone change in order to develop the site with a thirty-five (35) unit multi-family residential development and fifteen (15) parking spaces. CHOM is proposing the rezoning of the site from R-6 to an R-7 zone in order to increase the allowable density and lot coverage. All of the residential units will be affordable.

The first workshop was held on July 27, 2010. Questions or issues raised at the workshop included: a) the adequacy of required number of parking spaces for the site; and b) the potential impacts of the overall density allowed in the R-7 zone. The Planning Board requested the applicant to articulate how the proposed map amendment met the City's Comprehensive Plan and the purpose statement of the R-7 zone.

In order to meet this request the applicant has submitted a supplemental information packet for the Board's review. The applicant's submission dated August 30, 2010 includes a project overview, R-7 Overlay Eligibility and an analysis of the neighborhood's density, (Attachment A-1).



Map 1- Site of Proposed Project

II. ZONING AND DEVELOPMENT FINDINGS

Site: 66-68 High Street
Tax Maps: Tax Map 44, Block F, Lot 1
Land Area: 23,797 square feet
Existing Uses: University of Southern Maine offices and classroom
Current Zoning: Residential R-6 zone
Proposed Zoning: Compact Residential R-7 zone

Total Units Allowed in R-6: 19.8 units

Total Units Allowed in R-7: 54 units

Proposed Project Statistics:

Total Units: 35 units
Housing Mix: Units are 1, 2, and 3-bedrooms; all the units will be affordable housing.
Building Height: The residential building addition will be three (3) stories above one level of parking. The building height shall meet the height standard of R-7
Lot Coverage: 52 %
Total Parking: A total of 15 parking spaces; 14 spaces on the ground floor and one space at the street level on High Street
Parking Ratios: Proposed: 0.42 spaces/unit (15 spaces for 35 dwelling units)
Density: A density of 680 square feet of lot area per unit is proposed.
(Allowable density in R-7 is 435 SF of land area per dwelling unit.)

III. DEVELOPMENT PLAN

A. General Overview

CHOM's application and concept plans for the proposed development is dated June 21, 2010 and is included as (Attachment A-1).

Community Housing of Maine has entered into a contract to purchase a parcel of land from University of Maine Systems consisting of approximately 23, 478 square feet located at 66-68 High Street, being a parcel shown on City of Portland Tax Map 44, Block F, Lot 1. There is a freestanding 3-story building with a total area of approximately 28,954 sq ft. The University of Maine System currently owns and occupies the property. The property has frontage on High Street and on Danforth Street, with an existing curb cut on High Street. The property is surrounded by multi-unit residential buildings, as well a businesses and daycares.

The Community Housing of Maine plans to renovate the main building, and construct an addition



Figure 1- Site of Proposed Addition

of roughly equal size with parking below grade. The addition will be located approximately where the original mansion stood. The site plan (Attachment A-1) shows a total of fifteen (15) parking spaces, eleven (11) under the addition, and four surface spaces, which includes two handicap spaces. The complex will contain twenty (20) 1-bedroom units, twelve (12) 2-bedroom units, and three 3-bedroom units for a total of 35 units. A community room, family play area, activity room, laundry facilities, and clustered post boxes will serve as meeting places for residents. Most of the community space will be located in a daylight basement beneath the existing building.

The property is located in one of the first historic districts created in the City of Portland, and the building, which was designed by Fredrick A. Thompson and constructed in 1909 as a children's hospital, is an important Colonial Revival building. The State Historic Preservation Commission has confirmed that the project is eligible for listing on the National Register of Historic Places and the National Park Service has approved a Part I application for Federal historic tax credits. This development will be subject to review by the Historic Preservation Board under Portland's Historic Preservation ordinance.

B. Parking

The R-6 parking requirement is one space per dwelling unit and the land use code does not require the reuse of an historic structure to provide more parking than is currently on-site. The R-7 zone requires one space per dwelling, so a total of fifteen (15) parking spaces is required for the new addition. In addition, Incentives for Affordable Housing calls for one parking space per unit or allows the Planning Board to determine the final number of required parking spaces. The applicant is proposing to provide fifteen (15) on-site parking spaces as part of this project. Of these parking spaces, two will be handicapped spaces.

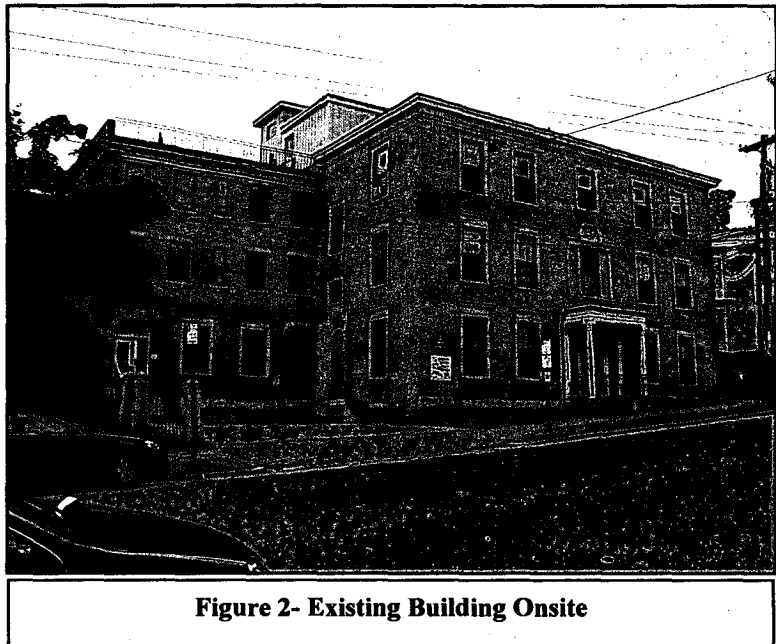


Figure 2- Existing Building Onsite

IV. APPLICANT SUPPLEMENTAL INFORMATION

The applicant has submitted a supplemental information packet for the Board's review. The Planning Board at the first workshop hearing on July 27th had requested of the applicant to assess and explain the proposal's consistency with Portland's Comprehensive Plan and the purpose statement of the R-7 zone. The applicant has provided an analysis of the neighborhood, which is included in the supplemental report. The report is included as Attachment A-1 and is organized into four categories: 1) project overview 2) R-7 Overlay Eligibility 3) Analysis of the neighborhood's density and 4) Neighborhood Meeting and Minutes,

The applicant also held a neighborhood meeting on August 19, 2010 and a total of twenty-seven (27) abutters attended the meeting, please Attachment A-1.

V. NEIGHBORHOOD PUBLIC COMMENTS

Since the submittal of the project application, twelve (12) comments have been submitted to the Planning Division, please see Attachment 5 for all of the comments. Of these comments, there are eight letters in support and four letters in opposition.

On September 1st, 2010, the Planning Division staff met with several direct abutters of the project. They voiced concerns about the potential overall density that could be built under the R-7 zone standards. The abutters expressed that they are not necessarily opposed to the project itself but rather are concerned with the potential impacts of building 54 units under the R-7 zone and asked about possible options for limiting the total build out of the site.

VI. ZONING ANALYSIS

The Housing Committee recently requested of the Planning Staff the density statistics for all the parcels on the peninsula that are in the R-6 zone. The density is derived by dividing the number of units by the area of the parcel. There are two maps, please see Attachments 1 and 2, which are included as part of this report. The first map shows the square footage land area per unit; the parcels in the yellow are in the range of 435 sq ft to 1000 sq ft land area per unit and the green color represents parcels that have greater than 1000 sq. ft. land area per unit. The red parcels represent a higher density properties and majority of these parcels are conditional rezones. The second map shows only the units per each property.

It can be observed from these maps that there is a mix of densities in the surrounding neighborhood. The block on Park Street (from Spring and Danforth Streets), has most of the parcels in the range of 435 sq ft to 1000 sq ft land area per unit. The block where this project is proposed has a mix of both densities, greater than 1000 sq ft and between 435 sq ft and 1000 sq ft land area per unit. The parcels in green color (greater than 100 sq ft land area per unit) are equivalent to what the R-6 zoning would allow and the parcels in yellow (435 sq ft to 1000 sq ft land area per unit) indicate what would be allowed in the R-7 zone.

The chart below shows the zoning requirements for the R-6 and R-7 zones as well as the proposed project requirements. Copies of the R-6 and R-7 text are included as Attachment 3 and Attachment 4.

Dimension	Residential R-6	Residential R-7	Proposed Project
Minimum lot size	4500 sq ft	None	23,797 sq ft
Front yard setback	10 feet	None	15 feet
Rear yard setback	20 feet	5 feet	28 feet
Minimum Lot Width	50 feet	30 feet	200 feet
Side yard setback	For 3 stories... 10 feet.	5 feet	25 feet
Lot Coverage	Maximum forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units.	100%	52% building coverage with building and 76% proposed impervious surface coverage

Density	1200 sq ft/unit	435 sq ft/unit	23,797 square feet/number of units. 35 units = 680 sq ft Applicant can go up to 54 units (23,797/ 435)
Maximum Height	45 ft	50 ft	45' for the new addition
Parking Spaces/ Ratio	Off-street parking, For new construction, two (2) parking spaces for each dwelling unit, plus one (1) additional parking space for every six (6) units or fraction thereof. This proposal requires about 33 off-street spaces for the new addition.	1:1 ratio	15 parking spaces for addition ; a 1 to 1 ratio No parking spaces for the existing structure on site. Therefore the parking ratio is .43 to 1 ratio for the entire project
Open Space Ratio	Thirty (30) percent for those lots which contain twenty (20) or more dwelling units.	None required	
Street Frontage	Minimum forty (40) ft	None required	200

The request for rezoning to R-7 was brought forward by the applicant after consulting with the Planning Office for appropriate zoning amendment alternatives. The R-7 zone was recommended because it fits the overall proposal, and does not require further amendments or adjustments for space and bulk or other regulation. When a zone exists that fits a proposal, we advise a simple map change for consideration. The issues of maximum density and the conditional zoning option have been raised by neighborhood residents. The applicant is aware of this option, but prefers the proposed R-7 rezoning as presented.

VII. POLICY CONSIDERATIONS

The proposed zoning map amendment for the property located at 66-68 High Street must be evaluated for consistency with the City’s Comprehensive Plan. The applicant has provided a supplemental information packet to address the Board’s requests for their assessment of how their proposed zone change is consistent with the Comprehensive Plan and R-7 purposed statement (Attachment A-1). Below are the relevant excerpts from the Comprehensive Plan cited by the Planning Staff:

A. Housing: Sustaining Portland’s Future – Adopted November 18, 2002

The following statements are housing policies that are relevant to this proposal. The first policy of Housing: Sustaining Portland’s Future is to ensure an adequate and diverse supply of housing for all. Objectives under that policy include the following:

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied. The list of potential housing options under this objective include:
 - ii. Housing units for decreasing household sizes, such as young professionals, empty nesters, single parent households and senior citizens.
 - v. Higher density housing, such as row houses, small lots, reuse of non-residential buildings, and mixed use buildings.
 - vii. Housing development that encourages community, such as co-op housing.

- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers and public transportation.
- Evaluate and update current zoning, as needed, to encourage higher density multi-family developments and mixed use projects that incorporate housing, particularly along major public transportation routes, near services areas, and in redevelopment or infill areas, where appropriate.
- Encourage housing within and adjacent to the downtown. Evaluate and update current zoning and building codes, as needed, to facilitate new housing and redevelopment opportunities....

The third policy of the housing plan refers to neighborhood stability and integrity, and “maintain and enhance the livability of Portland’s neighborhoods as the City grows and evolves through careful land use regulations, design and public participation that respect neighborhood integrity.” It states that “promote through City policies a mix of housing types, retail and services, and open spaces/recreation opportunities of appropriate size, scale and type within neighborhoods.

Relevant objectives under this policy include the following:

- Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.
- Ensure the integrity and economic value of Portland’s neighborhoods.
- Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.

The fifth policy of the housing plan refers to sustainable development and “...encourages a manageable level of growth that will sustain the City as a healthy urban center in which to live and work and to achieve a shared vision for Portland.” It states that “Portland should encourage sustainable development patterns and opportunities within the City by promoting efficient land use, conservation of natural resources and easy access to public transportation, services and public amenities.” Relevant objectives under this policy include the following:

- Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services and an affordable tax rate.
- Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing.
- Design housing using new technologies and materials that reduce costs and increase energy efficiency. [note: building to built to meet or exceed Maine State Housing’s Green Building Standards].

B. A Time of Change: Portland Transportation Plan – Adopted July 1993

- Provide maximum mobility in a balanced transportation system, which encompasses all modes, to support the economic vitality and quality of life of the Portland community.
- Ensure future growth does not foster auto dependency.
- Allow development along transit corridors and near community commercial centers to evolve at a density sufficient to make public transit, walking, and biking viable options.

IV. Next Steps

1. Address any additional information requested by the Planning Board.
2. Schedule a date for the public hearing.

Attachments

Planning Board Report Attachments

1. R-6 Zoning Analysis Map- Square Feet per Living Unit
 - 1.1 Blowup of Vicinity of Proposed Project
2. R-6 Zoning Analysis Map- Living Units
3. R-6 Zoning Standards
4. R-7 Zoning Standards
5. Public Comments

Attachment A: Excerpts of Revised Material, 08.30.2010

A-1 Supplemental Information Package



CITY of PORTLAND R6 Zoning Analysis Square Feet / Living Unit

- Square Feet Per Unit**
- < 435 (136)
 - 435 - 1000 (672)
 - > 1000 (1373)
 - Less than 3 Units
 - R6 Residential





Legend

- Streets
- Parcels
- Living Units
 - 1 - 4
 - 5 - 17
 - 18 - 54
 - 55 - 124
 - 125 - 200
 - Jetport
 - Ocean

1 inch = 152 feet

Map Produced by the City of Portland's GIS Web Application

3/30/2010

City of Portland
 Code of Ordinances
 Sec. 14-131
 (Ord. No. 537-84, 5-7-84; Ord. No. 15-92, § 10, 6-15-92)

Land Use
 Chapter 14
 Rev.9-2-10

Sec. 14-132. Reserved.
Sec. 14-133. Reserved.
Sec. 14-134. Reserved.

DIVISION 7. R-6 RESIDENTIAL ZONE*

 *Editor's note--Ord. No. 538-84, adopted May 7, 1984, repealed Div. 7, §§ 14-131--14-134, and enacted a new Div. 9, §§ 14-135--14-139, 14-145. However, in order to avoid duplication of division numbers and in consultation with the city, the provision has been included as Div. 7.

Sec. 14-135. Purpose.

The purpose of the R-6 residential zone is:

(a) To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses.

(b) In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.

(Ord. No. 538-84, 5-7-84; Ord. No. 78-03/04, 10-20-03)

Sec. 14-136. Permitted uses.

The following uses are permitted in the R-6 residential zone:

(a) *Residential:*

1. Single- and two-family dwellings. No building reviewed as a two-family dwelling in accordance with section article V (site plan) of this chapter shall be altered to include any additional dwelling unit within five (5) years from the date of issuance of the building permit. Any building reviewed as a two-family dwelling in accordance

with article V (site plan) of this chapter or not reviewed under article V, which is altered or enlarged to include any additional dwelling unit after this five-year period, shall be reviewed as a pursuant to article V of this chapter.

2. Multifamily dwellings, provided that any alteration of a structure in residential use on December 2, 1987:
 - a. Shall not result in the creation of any additional dwelling unit of less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic; and
 - b. Shall not result in any existing dwelling unit being reduced in size to less than one thousand (1,000) square feet of floor area, exclusive of common areas and storage in basement and attic;
 - c. Parking shall be provided as required by division 20 of this article;
 - d. No open outside stairways or fire escapes above the ground floor shall be constructed;
 - e. A below-grade dwelling unit shall be permitted only if access is provided directly to the outside of the building;
 - f. Such development shall be subject to article V (site plan) of this chapter for site plan review and approval.
3. Handicapped family unit, as defined in section 14-47 (definitions) of this article, for handicapped persons plus staff.
4. Single-family, multiple-component manufactured housing, as defined in section 14-47 (definitions) of this article, except in a National Register Historic District.

5. Single-family, single-component manufactured housing, as defined in section 14-47 (definitions) of this article, on individual lots under separate and distinct ownership, except in a National Register Historic District, provided that each unit meets the performance standards listed below:
 - a. More than half of the roof area of each unit shall be a double pitched Class C rated shingled roof with a minimum pitch of 3/12.
 - b. Each unit shall be installed on a full foundation or a concrete frost wall in accordance with all applicable codes and regulations. Any hitch or tow bar shall be removed from the unit after it is placed on its foundation or frost wall. In the case of a frost wall, vermin proof skirting shall be installed on all sides of the unit. The skirting may consist of either (a) concrete or masonry block or (b) manufactured skirting. If concrete or masonry block skirting is installed, either the exterior siding of the unit shall extend within one (1) foot of grade or decorative masonry siding shall be applied. If manufactured skirting material is installed, the color shall be identical to or compatible with the exterior siding of the unit.
 - c. Each unit shall have exterior siding that is residential in appearance, including but not limited to natural materials such as wood clapboards or shakes, or exterior materials which simulate wood. Clapboards or simulated clapboards shall have less than eight (8) inches of exposure and sheet metal type siding shall not be permitted.
 - d. Each unit shall have the long side of the unit parallel to the street line where the required street frontage is met.
 - e. Each unit shall be provided with at least two (2) trees meeting the city's arboricultural

specifications and which are clearly visible from the street line and are located so as to visually widen the narrow dimension or proportion of the unit.

- f. Each unit shall have all fuel oil supply systems constructed and installed within the foundation wall or underground in accordance with all applicable codes and regulations.
- g. No unit shall be horizontally or vertically attached to any other unit or other structure, provided however, that this provision shall not be deemed to prohibit building additions, such as porches, garages, room additions or solar greenhouses.

(b) *Other:*

- 1. Lodging house;
- 2. Cemeteries;
- 3. Parks, and other active and passive noncommercial recreation spaces;
- 4. Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory use) of this article;
- 5. Home occupation subject to the provisions of section 14-410 (home occupation) of this article;
- 6. Municipal uses, excluding those specifically set forth in section 14-137 of this division;
- 7. Special needs independent living units, provided that a building housing special needs independent living units shall not house other types of residential or other permitted uses. The owner of a special needs independent living unit building shall file in the Cumberland County Registry of Deeds a statement under oath that the building is a

special needs independent living unit building and that any future change of use to a permitted residential use shall require a change in use review by the City of Portland and a decrease in the number of units in the building in accordance with the Portland City Code, chapter 14. The owner shall file proof of such recording with the building inspections division prior to the issuance of any certificates of occupancy for the new uses.

8. Conversion of a structure existing on March 3, 1997, into a bed and breakfast with up to four (4) guest rooms, subject to the standards of article V (site plan).

(Ord. No. 538-84, 5-7-84; Ord. No. 267-84, § 1, 12-17-84; Ord. No. 67-87, § 4, 11-2-87; Ord. No. 85-88, §§ 1, 2, 7-19-88; Ord. No. 86A-89, § 7, 8-21-89; Ord. No. 95-89, § 2, 9-6-89; Ord. No. 279-90, § 2, 3-19-90; Ord. No. 33-91, § 8, 1-23-91; Ord. No. 33A-91, § 6, 4-17-91; Ord. No. 125-97, § 2, 3-3-97; Ord. No. 278-09/10, 7-19-10)

***Editor's note--**Ord. No. 85-88, §§ 1, 2, adopted July 19, 1988, amended § 14-136 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88. Ord. No. 95-89, § 2, adopted Sept. 6, 1989, amended subsection (1)a of § 14-136 to read as set out and, as amended, further ordained "that the prohibition upon unit additions contained in this ordinance shall not apply where a building permit has been issued. Additions proposed to such buildings shall require major site plan review and all other reviews required by this chapter."

Sec. 14-137. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(a) *Residential:*

1. Reserved.
2. Sheltered care group homes, as defined in section 14-47 of this article, for up to twelve (12) individuals, plus staff, and serving a primary population which is not handicapped persons, parolees, persons involved in correctional

prerelease programs, or current illegal drug users, provided that:

- a. A sheltered care group home shall not be located within five hundred (500) feet of another, as measured along street lines to the respective property lines.
- b. There shall be no open outside stairways or fire escapes above the ground floor.
- c. The facility shall make provision for adequate on-site staffing and supervision of residents in accordance with applicable state licensing requirements. If a facility is not licensed by the state, there shall be a minimum of one (1) staff person for every ten (10) residents or fraction thereof.

The board of appeals may impose conditions upon a conditional use permit concerning the creation or operation of a sheltered care group home including but not limited to the following: site and building maintenance; lighting, fencing, and other appropriate security measures; screening and buffering of parking areas; compatibility of any additions or alterations with the existing residential structure; compatibility of new structures with the architectural character of the surrounding area; and limitation on the duration of the sheltered care group home permit.

3. Conversion of a structure existing on March 3, 1997, into a bed and breakfast with five (5) to nine (9) guest rooms.
- (b) *Institutional*: Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:
1. Elementary, middle, and secondary school;
 2. a. Long-term and extended care facilities;

- b. Intermediate care facility for thirteen (13) or more persons;
3. Intermediate care facility;
4. Places of assembly;
5. Hospital;
6. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

- a. In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and
- b. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; and
- c. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative; and
- d. Article V (site plan) sections 14-522 and 14-523 notwithstanding, in the case of places of assembly (including places of religious assembly, community halls and private club or fraternal organizations), the proposed use shall be subject to the requirements of article V (site plan) of this chapter; and

- e. In the case of community halls:
 - i. The structure was in existence as of January 4, 2010.
 - ii. The structure was built for institutional or other non-residential uses;
 - iii. The structure is operated by, or operated subject to the control of, a not-for-profit entity in accordance with its not-for-profit purposes; and
 - iv. A parking management plan is submitted for review and approval by the planning board; and
- f. In the case of private club or fraternal organizations: any such establishment serving alcoholic beverages or in possession of a license for serving alcoholic beverages shall be located on a large lot, as specified in the minimum lot size provisions of this section.

(c) *Other:*

1. Utility substations, such as water and sewage pumping stations and standpipes, electric power substations, transformer stations, and telephone electronic equipment enclosures and other similar structures, provided that such uses are suitably screened and landscaped so as to ensure compatibility with the surrounding neighborhood;
2. Professional offices of a member of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians.

The illustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance

agent.

Professional office uses shall meet the following standards in addition to provisions of section 14-474, except that subsections a., b., c. and d. of this section 14-137(c)2 shall not apply to the use of any building not designed or constructed for residential use, which was not in actual use as a residence on April 18, 1984, or thereafter.

- a. A professional office shall not be located within five hundred (500) feet of another as measured along the street line to the respective property lines.
- b. A building with one (1) or more professional offices shall have at least fifty (50) percent of the total floor area of the building devoted to residential uses.
- c. The total number of individuals working in a building of professional offices shall not exceed the equivalent of four (4) full-time employees.
- d. Any additions or exterior alterations shall be compatible with the architecture of the building and maintain the residential appearance of the building. Construction of a new building shall be compatible with the architectural character of the surrounding area.
- e. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.
- f. Off-street parking is required as provided in division 20 (off-street parking) of this article.

3. Chancellery.

4. Nursery school and kindergarten.
5. Off-street parking for passenger cars for uses permitted in the R-6 zone.
6. Day care facilities or home babysitting services not permitted as a home occupation under section 14-410, subject to the following conditions:
 - a. The facility shall be located in a structure in which there is one (1) or more occupied residential units or in an existing accessory structure, unless the facility is located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use or in a nonresidential structure accessory to the principal nonresidential use.
 - b. The maximum capacity shall be twelve (12) children for facilities located in residential or existing structures accessory thereto, unless the additional standards in subsection v. are met. There shall be no maximum limit on the number of children in a facility located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use, or in a nonresidential structure accessory thereto, provided that any such structure that serves more than twelve (12) children shall be subject to review under article V of this chapter.
 - c. Outdoor play areas shall be screened and buffered from surrounding residences with landscaping and/or fencing to minimize visual and noise impacts.
 - d. Solid waste shall be stored in covered containers. Such containers shall be screened on all four (4) sides.

- e. Day care facilities, nursery schools and kindergartens located either in structures that have been in residential use within the past five (5) years or in existing accessory structures and that serve between thirteen (13) and twenty-four (24) children shall meet the following additional standards:
- i. The facility shall provide a minimum of seventy-five (75) square feet of outdoor play area per child;
 - ii. The play area shall be located in the side and rear yards only and shall not be located in front yards;
 - iii. Outside play areas shall be separated from abutting properties by a fence at least forty-eight (48) inches in height;
 - iv. A ten-foot wide landscaped buffer shall be required outside of the fenced play area, and shall be established in accordance with the landscaping standards of the City's Technical Standards and Guidelines;
 - v. The minimum lot size for a day care facility located in a residential or existing accessory structure and serving more than twelve (12) children shall be twenty thousand (20,000) square feet;
 - vi. *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
 - vii. The maximum number of children in a day care facility located in a residential or existing accessory structure shall be twenty-four (24); and
 - viii. Any additions or exterior alterations such as facade materials, building form,

roof pitch, and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the residential appearance of the building.

7. Community Center, as defined in Section 14-17.
8. Temporary wind anemometer towers, as defined in Sec 14-47, are permitted provided the following standards are met in addition to Sec 14-430:
 - a. Towers may be installed for the purpose of wind data collection for no more than two (2) years after the issuance of a Certificate of Occupancy for the tower. At the conclusion of the aforementioned two (2) years, the tower must be dismantled and removed from the site within sixty (60) days; and
 - b. Towers shall be constructed according to plans and specifications stamped by a licensed professional engineer, which shall be provided to the Board of Appeals with the application; and
 - c. Towers shall be set back from habitable buildings by a distance equal to 1.1 times the tower height; and
 - d. The applicant shall provide a safety report prepared and stamped by a licensed professional engineer to the Board of Appeals with their application for conditional use, which demonstrates how the proposed temporary wind anemometer tower is safe in terms of strength, stability, security, grounding, icing impacts and maintenance; and
 - e. The applicant shall provide evidence of commercial general liability insurance, such insurance to be satisfactory to

Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the temporary wind anemometer tower; and

- f. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and
- g. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related meteorological data, but shall not be used for any other purpose; and
- h. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.

(Ord. No. 538-84, 5-7-84; Ord. No. 267-84, § 2, 12-17-84; Ord. No. 76-85, § 8, 7-1-85; Ord. No. 85-88, § 3, 7-19-88; Ord. No. 235-91, § 13, 2-4-91; Ord. No. 118-93, § 11, 10-18-93; Ord. No. 133-96, § 7, 11-18-96; ; Ord. No. 154-96, § 11, 12-16-96; Ord. No. 125-97, § 3, 3-3-97; Ord. No. 232-99, §2, 3-15-99; Ord. No. 77-02/03, § 2, 10-21-02; Ord. No. 29-09/10, 8-3-09 emergency passage; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 240-09/10, 6-21-10; Ord. No. 9 10/11, 8-2-10)

Sec. 14-138. Prohibited uses.

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

(Ord. No. 538-84, 5-7-84)

Sec. 14-139. Dimensional requirements.

(1) In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the R-6 zone shall meet or exceed the following minimum requirements:

(a) *Minimum lot size:*

1. Residential: Forty-five hundred (4,500) square feet, except as provided for lots of record in section 14-433 (lots of record and accessory structure setbacks for existing buildings) of this article.
2. Reserved.
3. Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.
4. Intermediate care facility: One (1) acre.
5. School: Thirty thousand (30,000) square feet.
6. Places of assembly;

Large	30,000 sq. ft.
Medium	15,000 sq. ft.
Small	7,500 sq. ft.

7. Municipal use: Forty-five hundred (4,500) square feet.
 8. Hospital: Two (2) acres.
 9. All other uses: Forty-five hundred (4,500) square feet.
 10. Lodging house: Four thousand five hundred (4,500) square feet.
- (b) 1. *Minimum area per dwelling unit:* One thousand (1,000) square feet per dwelling unit; and in the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units. This requirement may be reduced by up to twenty

(20) percent for a special needs independent living unit.

2. *Minimum rooming unit areas for lodging houses:* Two hundred (200) square feet of combined rooming unit and common area for each rooming unit. Each individual rooming unit shall be a minimum of eighty (80) square feet.
3. *Minimum land area per lodging house rooming unit:* Two hundred fifty (250) square feet.
4. *Minimum land area per intermediate care facility resident:* Eight thousand (8,000) square feet for the first thirty-five (35) residents, plus three hundred fifty (350) square feet for each additional resident.

(c) *Minimum street frontage:* Forty (40) feet.

(d) *Minimum yard dimensions:* (Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. *Front yard:*

Principal or accessory structures: Ten (10) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.

2. *Rear yard:*

a. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.

b. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

- c. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

3. *Side yard:*

- a. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet:

<i>Height of Structure</i>	<i>Required Side Yard</i>
1 story	10 feet
2 stories	10 feet
3 stories	10 feet
4 stories	12 feet
5 stories	15 feet

The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than ten (10) feet.

- b. Detached accessory structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.
- c. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

4. *Side yard on side streets:*

- a. Principal or accessory structures: Ten (10) feet.

- (e) *Maximum lot coverage:* Forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units; fifty (50) percent for lots which contain fewer than twenty (20) dwelling units.
- (f) *Minimum lot width:* Fifty (50) feet.
- (g) *Maximum structure height:*
- Principal and attached accessory structure: Forty-five (45) feet.
- Accessory detached structure: Eighteen (18) feet.
- (h) *Open space ratio:*
1. *Uses other than bed and breakfast.* Twenty (20) percent for those lots which contain fewer than twenty (20) dwelling units; thirty (30) percent for those lots which contain twenty (20) or more dwelling units. This area shall not include parking areas or other impervious surfaces as defined in section 14-47.
 2. *Bed and breakfasts.* A bed and breakfast that is located on a lot that has at least twenty (20) percent open space on the date of filing of the application for site plan shall not reduce the open space on the lot below twenty (20) percent of the lot area. A bed and breakfast located on a lot that does not have at least twenty (20) percent open space on the date of filing of the application for site plan review, and that is legally nonconforming as to the open space requirement of this section, shall not reduce the open space on the lot below the level in existence on the date of the application for site plan review. Open space areas shall not include parking areas or other impervious surface areas as defined in section 14-47.
- (i) A below-grade dwelling unit shall be permitted only if the primary access for the dwelling unit is provided directly to the outside of the building.

- (j) *Minimum gross floor area for bed and breakfasts:* Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.
- (k) *Maximum floor area for places of assembly on a collector or arterial road:*

Large	Not limited
Medium	4,500 sq. ft.
Small	2,250 sq. ft.

- (l) *Maximum floor area for places of assembly not on a collector or arterial road:*

Large	4,500 sq. ft.
Medium	2,250 sq. ft.
Small	1,125 sq. ft.

(2) *Small residential lot development:* Residential uses on small, vacant lots located in the R-6 are subject to site plan review and may use the dimensional requirements below if all of the following conditions are met:

The lot is:

Vacant or is used exclusively for parking or contains structure not used for residential purposes as of January 1, 2005; and the lot existed as of January 1, 2005.

- (a) *Minimum lot size:* None
- (b) *Maximum lot size:* Ten thousand (10,000) square feet.
- (c) *Yard dimensions:*
1. *Front yard:*

No more than ten (10) feet.
 2. *Rear yard:*

None, except that rear yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the abutting buildings and proposed buildings divided by five (5), whichever is greater; and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line.

3. *Side yard:*

None, except that side yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the existing buildings and proposed buildings divided by five (5), whichever is greater and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; Provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line. On a corner lot no side yard is required on that side of the lot which abuts any street. A principal structure on a corner lot shall not be more than ten (10) feet from the street.

- (d) *Minimum principal structure height:* Two (2) stories of living space above the grade of the adjacent street frontage, except for porches, entryways, attached garages and accessory detached structures.
- (e) *Maximum principal structure height:* Forty five (45) feet.
- (f) *Open space requirement:* All lots used for residential purposes shall provide an attached exterior deck, porch,

patio or balcony for each dwelling unit, except where a designated open space equal to ten (10) percent or more of the lot area is located on site and maintained as open space, then the number of exterior decks, porches, patios or balconies may be reduced by up to fifty (50) percent. The designated open space, if provided, shall have a minimum width and length of at least fifteen (15) feet, a slope of no greater than ten (10) percent and shall be used exclusively as recreational open space i.e. it shall not be used for vehicular circulation, parking, etc.. All required decks, porches, patios or balconies shall meet the requirements of the Planning and Development Design Manual.

- (g) *Minimum lot width:* None.
- (h) *Minimum land area per dwelling:* Seven hundred and twenty-five (725) square feet.

(Ord. No. 538-84, 5-7-84; Ord. No. 634-86, § 1, 7-7-86; Ord. No. 264-87, § 1, 3-16-87; Ord. No. 85-88, § 4, 7-19-88; Ord. No. 230-90, § 1, 3-5-90; Ord. No. 33-91, § 9, 1-23-91; Ord. No. 235-91, § 14, 2-4-91; Ord. No. 33A-91, 4-17-91; Ord. No. 118-93, § 12, 10-18-93; Ord. No. 154-96, § 12, 12-16-96; Ord. No. 125-97, § 4, 3-3-97; Ord. No. 245-97, §§ 1, 2, 4-9-97; Ord. No. 232-99, §3, 3-15-99; Ord. No. 78-03/04, 10-20-03; Ord. No. 21-04/05, 8-2-04, Ord. No. 145-04/05, 2-23-05; Ord. No. 254-05/06, 6-5-06; Ord. No. 131-08/09, 12-15-08; Ord. No. 127-09/10, 1-4-10 emergency passage)

***Editor's note--**Ord. No. 85-88, § 4, adopted July 19, 1988, amended § 14-139 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88.

Sec. 14-140. Other requirements.

(a) *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.

(b) *Storage of vehicles:* Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.

(c) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.

City of Portland
Code of Ordinances
Sec. 14-140

Land Use
Chapter 14
Rev. 9-2-10

(d) *Small residential lot development* shall conform to the site plan standards of §14-526.

(Ord. No. 538-84, 5-7-84; Ord. No. 85-88, § 5, 7-19-88; Ord. No. 15-92, § 11, 6-15-92; Ord. No. 37-98, § 1, 5-4-98; formerly §14-145--renumbered per Ord. No. 122, 12-20-99; Ord. No. 78-03/04, 10-20-03; Ord. No. 254-05/06, 6-5-06; Ord. No. 240-09/10, 6-21-10)

*Editor's note--Ord. No. 85-88, § 5, adopted July 19, 1988, amended § 14-145(a) to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88.

DIVISION 7.01. R-7 COMPACT URBAN RESIDENTIAL OVERLAY ZONE

Section 14-141. Purpose.

The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.

Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood.

(Ord. No. 122, 12-20-99)

Sec. 14-142. Permitted Uses.

Planning Board under Article V, Site Plan. Such development shall also comply with the following development standards. The general intent of these development standards is to achieve an attractive and comfortable city neighborhood environment. Varied and human-scaled building facades are key to making a place "pedestrian-oriented." Building designs should provide a high level of visual interest, without creating a chaotic image. Residences should include design elements that enhance the streetscape and address the street.

- a. Porches and bays should face the street.
- b. Primary ground floor residential entries to multi-family buildings must orient to street, not to interior blocks or parking lots. Secondary and upper-floor entries from the interior of a block are acceptable. The front door to single-family homes, duplexes, and townhouses must be visible from the street.
- c. The design approach shall provide an architecture that will be a visible and permanent expression of the character of the neighborhood;
- d. The facade shall be varied and articulated to provide visual interest to pedestrians;
- e. Reinforce the public realm of the public open space, sidewalks and streets through appropriately scaled entries, porches, fenestration, landscaping, and architectural details;
- f. Provide visual and acoustical privacy between units;
- g. Maximize natural light and ventilation within units.

(Ord. No. 122, 12-20-99)

Sec. 14-144. Reserved.

Sec. 14-145. Reserved.

(Ord. No. 122, 12-20-99)

DIVISION 7.1. IR-1 ISLAND RESIDENTIAL ZONE

Sec. 14-145.1. Purpose.

The purpose of the IR-1 island residential zone is to provide for

Shukria Wiar - FW: 66/68 High Street Proposal

From: Todd Alexander <todd@chomhousing.org>
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>
Date: 9/16/2010 9:53 AM
Subject: FW: 66/68 High Street Proposal

letter from abutter for the public record.

Todd M. Alexander
Community Housing of Maine, Inc
207 749-7257 | todd@chomhousing.org

From: Ellen D. Murphy [radochas@gmail.com]
Sent: Saturday, August 21, 2010 6:52 PM
To: Todd Alexander
Subject: 66/68 High Street Proposal

Dear Todd Alexander,

I attended the community meeting that CHOM held regarding your proposal for site development on High and Danforth Streets in Portland.

Clearly, your proposal has incorporated many elements that make it attractive to the City, and you are now taking steps to make it attractive to us, its neighbors, as well. I was impressed with the design and your efforts to make it comport with the existing structure, and to contain it within the footprint of the original Children's Hospital. I have been concerned about the loss of what little open green space we have in the neighborhood; your effort to keep the building well back from the perimeter edge of the lot will help ease that.

One thing that will be needed, I think, is a focus on traffic at that site. One of the people on your team said that, in your experience, your projects tend to attract large numbers of single mothers with children. I have a great concern for the speed and recklessness with which traffic flows up High Street; it's like a highway sometimes. The addition of mothers and kids and strollers and bikes into that mix really frightens me. (It's difficult enough for adults of reasonable mobility to cross at times; everyone I know in the neighborhood has a "near miss" story).

Maybe one thing you might want to think about is what "traffic calming" measures might be associated with your project: additional stoplights; for instance, longer timing of those that are there; installation of easily visible timers on pedestrian signals; narrowing of High Street; lowering the speed limit with enhanced enforcement; installation of median strips; etc. Your development would be an ideal opportunity for taking these measures; it could almost be a demonstration project. I'm sure Dave Marshall would be a big supporter.

I know I speak heresy to drivers, and the hue and cry against and effort to impede speed would be mighty! However, the prospect of endangering kids should make even the most devoted speed demon think twice.

Sincerely,

Ellen D. Murphy
88 Park Street, #45



September 15, 2010

City of Portland Planning Dept.
Attn: Shukria Wiar
389 Congress St.
Portland, ME 04101

Re: 66-68 High St.

To Whom It May Concern:


This is a letter in support of Community Housing of Maine's proposal to develop workforce/affordable housing at 66-68 High Street. We are impressed with the proposal's sensitivity to the historic relevance of the site and to the needs of our neighborhood community. We are particularly enthusiastic with the proposed development of 35 units of workforce housing.

Seventy Five State Street is a 152 unit assisted and independent living community bounded by State, Gray, Park and Danforth Streets. We have provided housing and services for Portland's elders since 1854. We employ 127 local people who work in healthcare, dining services and support positions. Nearly one third of our employees are able to walk to work. It is very important to our workforce to be able to find affordable housing in the West End.

In 2007, working with the City's Planning Department, we completed a total renovation of our ca. 1820 Cutter House. We believe that Community Housing of Maine's plans to construct housing that honors the scale and setback of the former Mussey Mansion would be an appropriate addition to our neighborhood.

Upon request, I would be pleased to answer any questions regarding Seventy Five State Street's support of this proposal.

Sincerely,



Anthony Forgione, president/CEO

C: Hall Thompson, Chairman of the Board

J. B. BROWN & SONS
36 Danforth Street
P.O. Box 207
Portland, Maine 04112-0207
Phone 207-774-5908
Fax 207-774-0898

September 15, 2010

Re: Community Housing of Maine's development project at 66-68 High Street

Dear Planning Board Members,

I am submitting this letter in support of Community Housing of Maine's (CHOM) request for a zone map amendment relating to its development project at 66-68 High Street.

J.B. Brown & Sons owns and operates commercial properties within close proximity to the CHOM development, including over 130,000sf of office, service, and retail space along with over 350 parking spaces in the Danforth, Pleasant & York Street area. Our corporate office is located at 36 Danforth, one block from the corner of High and Danforth streets.

I have met with representatives from CHOM to review their concept plans and discuss the zone map amendment application. I am supportive of their efforts on a number of levels, specifically;

- CHOM's investment at 66-68 High Street will contribute to the on-going revitalization of lower Danforth Street. The recent addition of new businesses; Cranberry Island Kitchen, livevital, El Rayo, Portland Velocipede, Colby Engineering, to name a few, along with the new multifamily housing completed at 53 Danforth Street have all had a positive impact on the neighborhood. I believe CHOM's project will complement this redevelopment activity and continue to reconnect the west end and downtown.
- CHOM's development will provide quality affordable housing on the peninsula that will improve Portland's overall livability, particularly for working individuals and families of low and moderate income levels.
- CHOM's property will convert a tax-exempt property to private ownership and generate new tax revenue for the City. In addition, CHOM's estimates its total development costs will exceed \$8,000,000, bringing a valued investment and construction-related jobs to Portland at a time of economic uncertainty.
- CHOM's proposal is in keeping with the historic development patterns on Danforth and High streets. I am particularly pleased that CHOM has chosen to construct the new addition in a similar size and scale to the mansion that once occupied the site and the historic properties that are common in this neighborhood.

Finally, I feel it is compelling for the City to utilize the R7 zone map amendment process for this project. In the past, the City has commonly resorted to conditional zoning for these types of developments because an alternative and appropriate zone did not exist to accomplish the necessary density to justify the construction of affordable housing. This was remedied with the creation of the R-7 zone. To consider a conditional zoning for this project would unnecessarily create a process that is highly cumbersome and, ultimately, serves as a significant disincentive for developers. The time, cost and uncertainty associated with conditional zoning often generates too much risk. The R-7 zone was created to address this very problem and encourage people to build more multifamily housing in appropriate locations on the peninsula. In my view, CHOM's proposal is a very good example of how the R7 can actually stimulate new housing investment and development.

In closing, I encourage the city to use the R7 zoning process to achieve its policy goal of creating quality affordable housing on the peninsula and further the redevelopment of an important part of downtown Portland.

Respectfully,

A handwritten signature in black ink that reads "Vincent P. Veroneau". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Vincent P. Veroneau
President

Shukria Wiar - 66-68 High St.

From: "Heather Free" <HFree@pslservices.org>
To: <shukriaw@portlandmaine.gov>
Date: 9/14/2010 3:44 PM
Subject: 66-68 High St.

Dear Planning Board Members,

I am submitting this letter in support of Community Housing of Maine's request for a zone map amendment for 66-68 High Street. It is likely that I will be unable to attend the scheduled workshop and wish to have this letter serve in place of my participation in the meeting.

Peregrine Corporation is the owner of two apartment buildings in the West End; 11 and 12 Nye Street. Our properties are located around the corner from 66-68 High, where CHOM is proposing to build its 35-unit apartment complex. There are a number of things about CHOM's proposal that I support; first, I welcome the addition of more affordable housing in Portland. Peregrine owns a number of apartment complexes that are occupied by residents on the lower end of the income scale. We clearly see that there is a shortage of this type of good affordable housing that is located downtown. Second, I like that CHOM has designed a project that fits well with the neighborhood in terms of its height and size—and has creatively come up with a way to hide the parking under the building. Third, I am happy to see that the existing building will be restored. Too often older properties that are vacant end up being demolished to make way for new developments. I like that CHOM has figured out a way to find a new use for this historic building. Finally, I am hopeful that CHOM's project leads to additional redevelopment in this area that caters to pedestrians and people who use public transportation. Our residents tend to either walk or use the METRO bus system for their day-to-day activities (jobs, school, shopping, entertainment, etc....). The intersection of High and Danforth tends to be extremely busy and not very pedestrian friendly. With CHOM's development and the additional residents it will bring to the neighborhood, perhaps the city will be more inclined to improve the pedestrian connections between downtown and the west end, as well as the bus stops in this neighborhood.

Thank you for the opportunity to comment on this project. I fully support CHOM's efforts and encourage the Planning Board to approve the zone change that CHOM has requested.

Sincerely,
Heather Free

Heather Free
STRIVE U Student Life Coordinator
12 Nye Street #1
Portland, ME 04101
(207) 899-0035
Fax: (207) 772-6655
hfree@pslservices.org
www.pslstrive.org

Shukria Wiar - letter of support

From: "Mary Folsom" <Mary.Folsom@goodwillnne.org>
To: <shukriaw@portlandmaine.gov>
Date: 9/14/2010 1:05 PM
Subject: letter of support
CC: "Alexander, Todd" <talexander@eaglepointco.com>

Dear Planning Board Members,

I am writing the Planning Board in support of Community Housing of Maine's request for a zone map amendment for 66-68 High Street.

Goodwill Development Corporation owns a multifamily housing property at 79 High Street, which is located on the same city block as CHOM's proposed development. I have met with members of CHOM's development staff to review their plans and discuss their zone map amendment application. In general, I believe CHOM's development will have a positive impact on the neighborhood and help re-establish this section of High Street as primarily a multifamily residential area. Furthermore, I like CHOM's design plans to restore the existing building and construct a new building that is in keeping with the neighboring historic properties.

I also support CHOM's decision to provide affordable rental housing. Our parent organization, Goodwill of Northern New England, has a long history of serving needy individuals and families in the greater Portland area. We own and operate a number of residential properties that provide housing for people of low incomes and special needs. We can attest to the significant demand for the type of housing that CHOM will create. We can also attest to the fact that this type of housing works best in downtown locations, in which the residents will benefit from being close to the services (such as public transportation) that they need and rely on.

I understand that this project requires a zone map change from R6 to R7. I believe the proposed development is appropriate for the neighborhood and an important project for the City of Portland. I support rezoning 66-68 High Street from R6 to R7 to allow CHOM's project to move forward.

Sincerely,

Mary Folsom
Project Manager
Goodwill Development Corporation
353 Cumberland Avenue
Portland, ME 04101
207-774-6323, ext. 2302
Fax: 207-761-8460

Shukria Wiar - Support for CHOM's proposal - High and Danforth

From: "josh@northlandus.com" <josh@northlandus.com>
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>, Kate <kate@al...>
Date: 8/30/2010 9:30 AM
Subject: Support for CHOM's proposal - High and Danforth

To the members of the Portland Planning Staff,

We are writing this letter in support of Community Housing of Maine's zone map amendment application for their project at 66/68 High Street.

We recently met with Todd Alexander to discuss CHOM's development plans for this property. We currently are renters in downtown Portland and within walking distance of Danforth and High streets. We often run by the former USM site and think about its future reuse. Josh is in real estate development, and had looked at this project, and saw no feasible (i.e. financeable) market rate housing or commercial development even taking into account the financial benefit of the state and federal historic tax credits.

During our discussion with Todd, we were pleased to see that CHOM is proposing a modest, infill housing project. We think this will benefit the neighborhood in a number of ways; it will provide much-needed workforce housing on the peninsula, it will help fill in an important gap between the downtown and the west end, it will restore an underutilized historic property on High Street and it will return a tax-exempt property to the city's tax rolls. We also like that the project encourages in-town living and incorporates green design standards.

We're particularly happy to see that CHOM is proposing a project that is of modest size and in keeping with the historic nature of this neighborhood. The corner of Danforth and High is an important transition point from downtown into the west end. Whatever is built here should reflect that transition from a mixed use business area into a more residential neighborhood. CHOM's proposal appears to be mindful of that fact.

We understand that the R7 zone change is an important first step in allowing this project to go forward. We also understand that this zone overlay was created to encourage exactly these types of housing developments. We think that CHOM's proposal for 66/68 High Street is a responsible application of the R7 zone and we fully support CHOM's application.

Sincerely,
Josh Benthien and Kate Dunleavy
residents of Baxter Place (apt 403)

Josh Benthien
Partner
Northland Enterprises
o: 207.400.3454
c: 207.321.9741

Shukria Wiar - CHOM Project

From: William Renner <william.renner@gmail.com>
To: <shukriaw@portlandmaine.gov>
Date: 8/29/2010 5:56 PM
Subject: CHOM Project

I am currently a resident at 6 South St, just a short walk from CHOM's project site.

I fully support what CHOM is setting out to do. There is significant demand for workforce housing in Portland, ME and the more we can develop infill sites (rather than add to the growing sprawl surrounding Portland) to meet that demand the better off we will be.

Currently High Street acts as too much of a barrier between downtown and the beginning of the west end. To change this, we need to encourage projects like what CHOM is proposing which in time will attract additional mixes of uses to serve High Street residents.

Furthermore, from what I know about the project, CHOM's design pays significant respect to what used to exist on the site and they plan to pursue LEED certification which shows a distinct commitment to environmental responsibility.

The immediate neighborhood, from the beginning of Pleasant Street, up to High Street and beyond, seems to be heading in the right direction. Owners are taking better care of their properties and commercial enterprises are starting to appear. CHOM's project is another step in the right direction and I hope I get to see the finished project.

Best,

Will

Shukria Wiar, Planner
Planning division,
City Hall, 4th floor
389 Congress St.
Portland, ME 04101

Ms. Wiar:

We own a condo at 101 Danforth st. We don't have any objection to the development of the USM Building other than:

1. The addition should look like the other buildings in the area (historic, that is).
2. The Chimney at the rear of the property is falling apart and our parking space is just below it. We are worried that the chimney will fall on our car. If you look at it you can see that the top of it is broken in many pieces and some have fallen already. I am sure that the new development will not use the chimney or the heating plant and it should be taken down.

Thank you for your time!



Al Flynn
43 Helen Drive
Hanson, MA 02341
flynn.ae@gmail.com

(101 Danforth st.
Unit 1
{Portland, ME 04101})

6 Stratton Place
Portland Maine 04101

August 15, 2010

Dept of Planning and Development
389 Congress St
Portland, Maine 04101

While I am not
opposed to high quality
housing development, I
am opposed to the
diminution of green spaces
in the neighborhood of
66-68 High Street.

Since I am unable
to attend the meeting
regarding this issue
(on Aug 19, 2010) I would
know that I oppose
the development on this
basis.

Yours truly,
Lucilla B. Thorne

Penny Littell - FW: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

From: Nick Mavodones <NickM@cascobaylines.com>
To: "pl@portlandmaine.gov" <pl@portlandmaine.gov>, Joe Gray <JEG@portlandm...>
Date: 8/10/2010 11:11 AM
Subject: FW: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

FYI—

Nick

From: Karen Dowell [mailto:karen.dowell@maine.edu]
Sent: Tuesday, August 10, 2010 10:19 AM
To: Nick Mavodones
Subject: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

Dear Mayor Mavodones:

I am writing to ask for your assistance in urging the planning committee to reject a recent zoning map amendment requested by Community Housing of Maine (CHOM). You can read more about this proposal here: <http://www.portlandmaine.gov/planning/pbreport6668highstreet.pdf>

I own a condominium in the vicinity of this parcel and believe that this proposed zoning change will directly affect my quality of life as a Portland resident and potentially erode the value of my property. Although I was unable to attend the planning committee workshop held on July 27, I have reviewed the documents and memorandums circulated by the planning division office and I am very concerned about this proposal for several reasons.

The purpose of this request is to allow CHOM to increase the allowed density and lot coverage, and to decrease the number of required parking spaces. The location at 66-68 High Street is in an already densely populated, high traffic area. Increasing the density of residents while decreasing the number of parking spaces will cause further congestion, and make parking on the street virtually impossible for existing residents. The potential increase in on-street parking demand is not adequately addressed in the CHOM proposal. (Just because you want people to take public transportation doesn't mean they will.) In addition, the one-way traffic on High Street is heavy and indifferent to pedestrians. It is not safe for young children now. Changing the zoning on this corner of High and Danforth will make it even less so. If CHOM's objective is to create affordable family housing, this is not the best in-city location for their development.

The sustainable housing document (Portland's Future: Building on Neighborhood Stability and Integrity) cited heavily in the proposal was adopted in 2002, long before the real estate boom and bust of the last decade. Over the past several years, many houses and office spaces were converted to condos and high-rise developments were erected, resulting in a glut of housing in the downtown area. Now, you can't walk the streets of Portland without seeing numerous for sale or for rent signs. Should we not, as a city, focus on making existing housing affordable before creating more housing developments?

I should add that this same document aims to “protect safety and stability of Portland neighborhoods by enforcing the approved density regulations as prescribed by the Portland Zoning Ordinance” (section 3.b.2); “adopt neighborhood design guidelines as part of Portland’s land use code for new housing and substantial rehabilitation that are compatible with the character and patterns of development found in each neighborhood” (section 3.c.2); and “promote uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties” (section 14-141). One could argue that CHOM’s proposed zone change is in direct violation of several objectives specified in the very document they use to support their case.

Contrary to the proposal’s claims that this location is conveniently located near shopping, daycare, and employment opportunities, the closest grocery store to this potential development site is not within walking distance. The shopping in this area is targeted more toward tourists, than residential families. There is no evidence in the report that the job market in this downtown area is particularly strong. In addition, it is questionable as to whether families interested in this type of affordable housing could afford the daycare facilities in this area. And finally, there are other locations near the downtown area, such as on Marginal Way, that would be better suited for R7 zoned housing.

This neighborhood, in general, is wonderfully diverse. Perhaps because of that, it has a relatively high crime and violence rate for the West End. It is not safe to walk these streets alone at night. Windows and doors have been broken in buildings across from the lot in question. Graffiti is an ongoing problem. A few landlords on this block don’t take good care of their rental properties and their residents are careless about trash. Adding population density could contribute to this problem unless existing safety and neighborhood “maintenance” issues are addressed first. Another very practical concern is that during heavy rain storms, waste water backs up the drains and floods some buildings in this neighborhood now. If the existing water and sewage system cannot handle demands of current residents, how will it respond to an additional 35-54 families squeezed into this one small area?

The former children’s hospital at 66-68 High Street has architectural integrity and charm. It is set back on a lovely grass lawn that is enjoyed by many residents of this neighborhood. When the University of Southern Maine (USM) proposed to turn this green into a parking lot a few years ago, residents of District 2 rallied to convince USM to change their plans. This building and its grounds mark the transition from a scruffy commercial area to an eclectic side of the West End. The green with its distinctive iron fence is an integral part of our neighborhood. Portland needs to invest in “undeveloping” as well as developing to preserve these public and private greens. They add character and beauty to our city. The Museum of Art public green across from the Holiday Inn on Spring Street is a perfect example of using green space in city planning. This should be an opportunity to develop while preserving the architectural footprint of a property that is part of Portland’s heritage.

I love Portland. And I’ve enjoyed living in the heart of the city for the past several years. I am not against affordable housing, but I strongly object to changing zoning to increase population density in an already established neighborhood such as ours. If CHOM could present a proposal to renovate the existing building without additions and with sufficient parking spaces to support the number of housing units, the residents of this neighborhood would be far more supportive.

Please don't allow CHOM to choke the life from our neighborhood with more "affordable" housing this city doesn't need!

Thank you for your help and attention to this matter.

Sincerely,

Karen Dowell

Karen Dowell
Functional Genomics predoctoral graduate student
University of Maine GSBS at The Jackson Laboratory
Tel: 207.288.6674 Cel: 207.460.2361
karen.dowell@maine.edu or karen.dowell@jax.org

Shukria Wiar - Zoning Map Amendment from R-6 to R7 at 66-68 High Street

From: "Karen Dowell" <karen.dowell@maine.edu>
To: <Shukriaw@portlandmaine.gov>
Date: 8/8/2010 9:18 PM
Subject: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

Dear Ms. Wiar:

I am writing to urge the planning committee to reject the zoning map amendment requested by Community Housing of Maine (CHOM). I own a condominium in the vicinity of this parcel and believe that this proposed zoning change will directly affect my quality of life as a Portland resident and potentially erode the value of my property. Although I was unable to attend the workshop held on July 27, I have reviewed the planning documents and memorandums circulated by your office and I am very concerned about this proposal for several reasons.

As you know, the purpose of this request is to allow CHOM to increase the allowed density and lot coverage, and to decrease the number of required parking spaces. The location at 66-68 High Street is in an already densely populated, high traffic area. Increasing the density of residents while decreasing the number of parking spaces will cause further congestion, and make parking on the street virtually impossible for existing residents. The potential increase in on-street parking demand is not adequately addressed in the CHOM proposal. (Just because you want people to take public transportation doesn't mean they will.) In addition, the one-way traffic on High Street is heavy and careless of pedestrians. It is not safe for young children now. Changing the zoning on this corner of High and Danforth will make it even less so. If CHOM's objective is to create affordable family housing, this is not the best in-city location for their development.

The Sustainable Housing document cited heavily in the proposal was adopted in 2002, long before the real estate boom and bust of the last decade. Over the past several years, many houses and office spaces were converted to condos and high-rise developments were erected, resulting in a glut of housing in the downtown area. Now, you can't walk the streets of Portland without seeing numerous for sale or for rent signs. Should we not, as a city, focus on making existing housing affordable before creating more housing developments? The closest grocery store to this proposed development is not within walking distance. The shopping in this area is targeted more toward tourists, than residential families. In addition, it is questionable as to whether families interested in this type of affordable housing could afford the daycare facilities in this area. There are other locations near the downtown area, such as on Marginal Way, that would be better suited for R7 zoned housing.

This neighborhood, in general, is wonderfully diverse, but has a relatively high crime and violence rate. It is not safe to walk these streets alone at night. Adding population density could contribute to this problem unless existing safety issues are addressed first. Another very practical concern is that during heavy rain storms, waste water backs up the drains and floods some buildings in this neighborhood now. If the existing water and sewage system cannot handle demands of current residents, how will it respond to an additional 35-54 families squeezed into this one small area?

The former children's hospital at 66-68 High Street has architectural integrity and charm. It is set back on a beautiful grass lawn that is enjoyed by many residents of this neighborhood. When the University of Southern Maine (USM) proposed to turn this green into a parking lot a few years ago, residents of District 2 rallied to convince USM to change their plans. This building and its grounds mark the transition from a scruffy commercial area to an eclectic side of the West End. The green with its distinctive iron fence is an integral part of our

neighborhood. Portland needs to invest in "undeveloping" as well as developing to preserve these public and private greens. They add character and beauty to our city. The public green across from the Holiday Inn on Spring Street is a perfect example of using green space in city planning.

One of the reasons I love Portland is that it has preserved so many of its historic buildings and neighborhoods. It is a very livable city with considerable diversity. I am not against affordable housing, but I strongly object to changing zoning to increase population density in an already established neighborhood such as ours. If CHOM could present a proposal to renovate the existing building without additions and with sufficient parking spaces to support the number of housing units, the residents of this neighborhood would be far more supportive.

Please don't allow CHOM to choke the life from our neighborhood with more "affordable" housing this city doesn't need!

Thank you for your attention to this matter.

Sincerely,

Karen Dowell

Karen Dowell
Functional Genomics predoctoral graduate student
University of Maine GSBS at The Jackson Laboratory
Tel: 207.288.6674 Cel: 207.460.2361
karen.dowell@maine.edu or karen.dowell@jax.org

RECEIVED

AUG 10 2010

City of Portland
Planning Division

Peter and Patricia Brown
124 A Pleasant St.
Portland, ME 04101
773-8803
pdmaloneybrown@hotmail.com

August 5, 2010

Planning & Urban Development Department
Development Review Program
City Hall of Portland, Maine
389 Congress St. Room 308
Portland, Maine 04101

Dear Ms. Barhydt,

I am a resident of The Town Farm Condominiums at 124 Pleasant St. Portland (04101). I am writing to urge you and other planners of the proposed rezoning 66-68 High St. (the former USM building) to keep this property as an R6 zone. Since your original report findings in 2002 on "Sustaining Portland's Future," many of the original initiatives have changed. It would be prudent to sustain the quality of life for the present residents of this neighborhood as we too are a part of "Portland's future".

Since 2002, at the height of the real estate boom many new condos and other multi-family units have been incorporated into this area. Indeed many houses and office spaces were converted to condos and rental property. Why not make some of the vacant rental and condo spaces more affordable before adding more housing?

Of particular concern is the proposal to have 35 units (with the *preposterous* option to increase to 54 units) with only 15 parking spaces. Many of the inhabitants of the 35 units will have at least one automobile, with the possibility of two. Perhaps you are unaware of how difficult it can be for those of us allotted one parking space for a condo or rental unit when we are a two-car family. Visiting family and friends already find it difficult to find parking. Parking can be next to impossible in our neighborhood already. There is a distinct possibility that there could be as many as 40 or more cars added in the neighborhood seeking daily parking. The area is a high traffic and highly congested neighborhood now. How can you put safety and quality of life for present residents in jeopardy? Will you decrease our tax base due to diminished quality of life? The challenge of parking in the designated Yellow Zone in winter argues that this increase in density cannot be supported.

This neighborhood has a history of waste water back up in drains flooding some of the buildings. Will the city update all drains and conduits? Will the city pay residents for any flooding damage as a result of insufficient infrastructure? Certainly the water needs and sewage needs are not meeting demands of current residents. Again, it is preposterous to think that the addition of 35-54 families will not overwhelm the system. I find it negligent on the part of planners who may not have considered this impact.

The one-way traffic pattern on High St. is high volume. Traffic proceeds at a high rate of speed. It is a dangerous traffic pattern which can ill afford more traffic, particularly at the High St. and Danforth St. intersection.

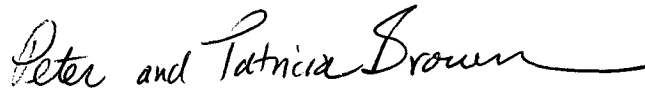
Our neighborhood is diverse and highly populated. Along with high density urban population is a burgeoning crime and violence rate. Please do not add more to the population density which would create more safety issues. If you want to keep this neighborhood as a livable area in the Arts District and gateway to the West End, safety of current residents should be protected.

Your report extols proximity of grocery stores for residents. This is patently inaccurate. The bus route does not transport residents to a Shaws, Hannaford or Whole Foods. The walking distance stores of the Old Port are often upscale and cater to tourists, not to permanent residents.

Part of the vibrancy of the Arts District, especially for working artists is on the Art Walk "First Fridays." The neighborhood needs parking for participants, safety and a sense of welcome. Loosing a beautiful and much fought for green space in the Arts District will not enhance commerce of the arts. This green space is also an irreplaceable oasis of beauty for the residents of our neighborhood. The Historic Preservation Program responded to our petition to keep this green space when The University of Southern Maine wanted to turn the space into a parking lot. Precedent has been set by this petition. Give residents the beauty of this green space we fought for! Keep this as a public green area!

Increased population density in our neighborhood will not enhance quality of life for anyone. Keep the current R-6 zoning in tact. Over-crowding of our neighborhoods does nothing to create a better future for Portland.

Sincerely yours,

A handwritten signature in cursive script that reads "Peter and Patricia Brown". The signature is written in black ink and is positioned below the "Sincerely yours," text.

Peter and Patricia Brown

cc: Nicholas Mavodones, Jr., Mayor, City of Portland; David A. Marshall, City Council Representative, District 2; David Fernald, Interim Director, Victoria Mansion; Catherine Morrill Day Nursery; Maine Preservation, 500 Congress St. Portland

Applicant's Submittal

August 30, 2010

Ms. Shukria Wiar, Planner
Department of Planning and Urban Development
Planning Division
Portland City Hall
389 Congress Street
Portland, ME 04101

**RE: Zoning Map Amendment
66-68 High Street**

Dear Shukria:

On behalf of Community Housing of Maine (CHOM), we are pleased to submit the enclosed supporting documentation for a Zoning Map Amendment Application for 66-68 High Street.

This submission includes the following information:

1. Supplemental Information Package
2. Neighborhood Meeting Presentation
3. Sign In Sheets from neighborhood meeting
4. Meeting Minutes from neighborhood meeting
5. Neighborhood Meeting Certification
6. Copy of the neighborhood meeting invitation
7. Existing Conditions Plan

Ms. Shukria Wiar, Planner
Page 2

We trust the above responses and accompanying documentation and plans have addressed the comments received during the planning board workshop meeting on July 27, 2010 and the neighborhood meeting held on August 19, 2010.

Please do not hesitate to call should you have any questions or require additional information.

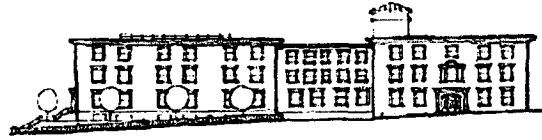
Sincerely,
Mitchell & Associates


John D. Mitchell

Enclosures

cc: Erin Cooperrider
Todd Alexander
Ben Walter
Scott Hanson

66-68 High Street
Zone Map Amendment Application

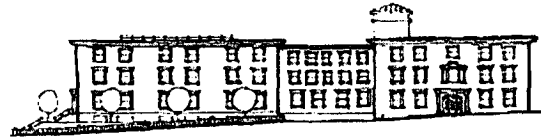


Zoning Map Amendment Application

66-68 High Street

Supplemental Information Package

66-68 High Street Zone Map Amendment Application



Executive Summary

The enclosed information is being provided to supplement Community Housing of Maine's ("CHOM") Zone Map Amendment application for 66-68 High Street. CHOM's development plan for 66-68 High Street is to create 35-units of multifamily housing through the conversion of an existing historic structure and the construction of a new addition on an undeveloped portion of the property (the "Project"). The Project is located in an R6 Zone and does not meet requirements for density, lot coverage and parking. Therefore, CHOM is applying for a Zone Map Amendment, from R-6 to R-7 Compact Urban Residential Overlay Zone ("R7 Overlay").

The Project is eligible for an R7 Overlay because 1) it is consistent with the stated purpose of the R7 Overlay, 2) it involves a site that is appropriate for an R7 Overlay and 3) it is consistent with the City's Comprehensive Plan. The Project is a moderate density compact residential development located on the peninsula and in an R-6 neighborhood characterized by moderate to high density multifamily housing and mixed business and residential zoning. The Project involves a site where an infill development opportunity exists, that is within walking distance of downtown or other work places, shopping and community facilities, and is accessible to public transit services. The Project provides an opportunity for compact in-city living for renters representing a variety of income levels and household types. Finally, the Project achieves many of the policy objectives set forth in Policy #1, #2, #3, #5 and #6 of the housing component of the City's Comprehensive Plan, *Housing: Sustaining Portland's Future*.

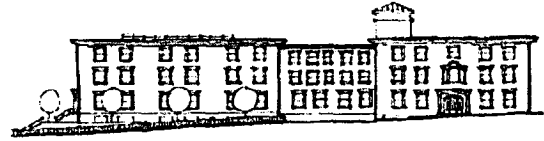
This submittal is comprised of three parts;

Section I Project Overview: The first section provides a brief overview of the Project and, although not eligible for review until the Site Plan and Subdivision stage, conceptual design plans.

Section II R7 Overlay Eligibility: The second section provides the primary documentation supporting the Zone Map Amendment request. This section details why the Project is eligible for an R7 Overlay, why this specific site, 66-68 High Street, is an appropriate parcel for R7 Overlay and how the project is consistent with the City's Comprehensive Plan.

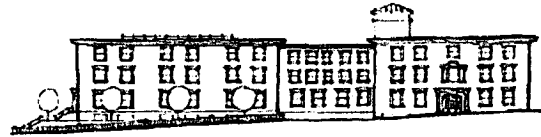
Section III Two Key Questions: The last section addresses two key questions raised by the Planning Board during the first workshop session on July 27th; 1) why is the R7 Overlay—rather than Conditional or Contract Zoning—the appropriate zoning tool to use for the Project? And, 2) should an R7 Overlay—rather than Conditional or Contract Zoning—be implemented for this project given that it will provide the property owner the right to build up to 54 housing units?

66-68 High Street
Zone Map Amendment Application



Section I: Project Overview

66-68 High Street Zone Map Amendment Application



Section I: Project Overview

Housing Objective of the Project

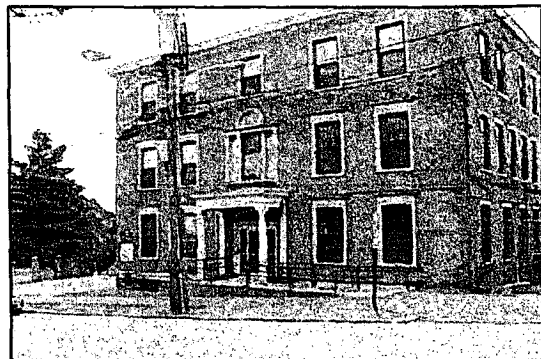
Community Housing of Maine (“CHOM”) proposes to acquire and redevelop 66-68 High Street into 35 units of affordable rental housing. The complex will contain a mix of one, two and three-bedroom units, along with a community room, family play area, activity room, and a laundry facility. The property will serve low to moderate income families, who desire to live in an urban, residential neighborhood in close proximity to downtown Portland. CHOM’s vision for the property is to create a high quality housing resource for the City of Portland that combines the best features of affordable housing, historic preservation, green design and smart growth principles.

The Site

66-68 High Street is comprised of a freestanding three story, 28,954 square foot brick building on a .54 acre parcel located at the corner of High and Danforth streets. The property is situated in an R-6 zone, within one city block of downtown and a B3 zone. The property is also located in one of Portland’s first historic districts. The existing building was designed by Fredrick A. Tompson and constructed in 1909 to serve as the Portland’s Children’s Hospital. It was built as an addition to the Mussey Mansion, which occupied the undeveloped portion of the site from 1801 to 1962, at which time it was demolished. The pictures below and on the following page depict the current site, as well as the property as it existed for more than 160 years prior to 1962.

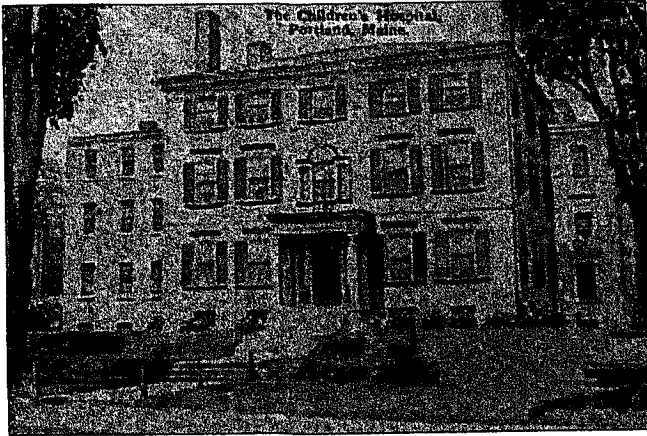
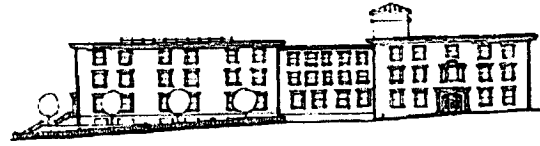


View from corner of High and Danforth Street



View from High Street

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Zone Map Amendment Application



The Children's Hospital (and former Mussey Mansion), View from Danforth Street

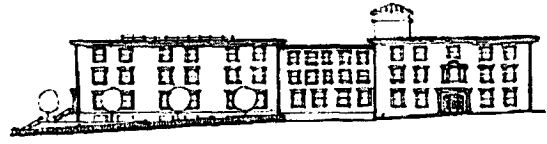


The Children's Hospital (and former Mussey Mansion), View from High Street

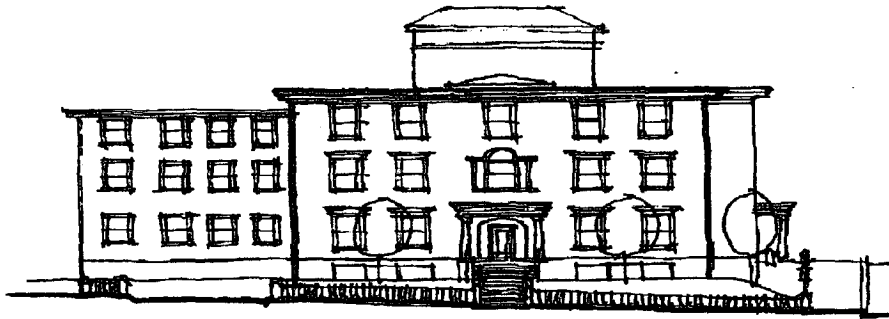
Building Program

CHOM proposes to rehabilitate the main building and convert it to 20 housing units, along with resident facilities in the daylight basement. CHOM also proposes to construct an addition with parking below grade. The addition will be built in roughly the location of the original Mussey Mansion and draw upon its massing, scale and form to embody a character appropriate to the historic district setting. The concept sketches on the following page illustrate the scale of the proposed building and outline the building footprint, parking spaces and other site features.

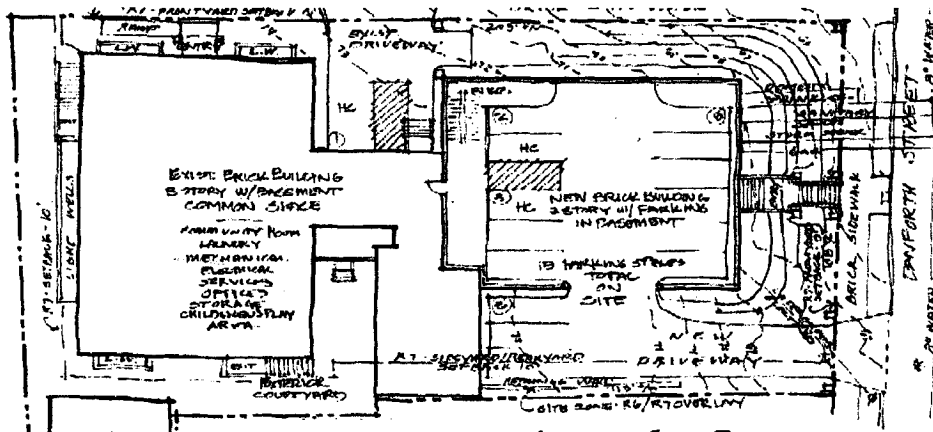
66-68 High Street
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Conceptual Design Plan. High Street Elevation. (existing building on right)

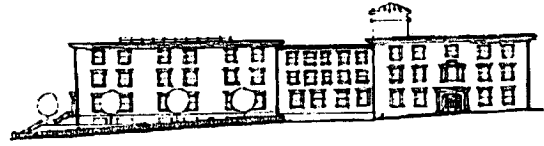


Conceptual Design Plan. Danforth Street Elevation. (existing building on right)



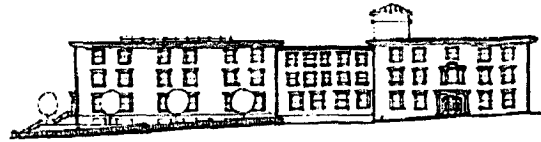
Conceptual Site Plan

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Section II: R7 Overlay Eligibility

66-68 High Street
Zone Map Amendment Application



Section II: R-7 Overlay Eligibility

The stated purpose of the R7 Overlay is, *"...to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland...."* Within this purpose statement, there are three threshold tests that a project and site must meet to be eligible for an R7 Overlay. Is the proposed project;

1. **A compact residential development?**
2. **On a site that is an 'appropriate' location for an R7 Overlay?**
3. **Consistent with the city's comprehensive plan and housing plans?**

CHOM's proposed development plan for 66-68 High Street clearly meets these three threshold tests.

1. **Is the proposed project a compact residential development?**

Yes. The Project is a compact residential development of moderate to high density.

CHOM proposes to create 35 units of multifamily housing on a parcel consisting of .54 acres. The density of the Project will be 680 square feet per unit, as compared to a maximum allowable density in an R7 Overlay of 435 square feet per unit and a maximum allowable density in an R6 zone of 1,200 square feet per unit.

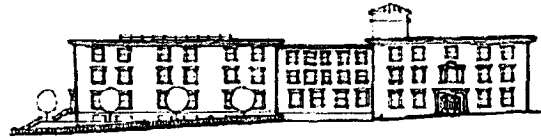
2. **Is the proposed project on a site that is an 'appropriate' location for an R7 Overlay?**

Yes. The Project is an appropriate site for an R7 Overlay, a) as the term 'appropriate' is defined in the Zoning Ordinance and b) as previously determined by the City Council.

a. Portland's Zoning Ordinance defines appropriate locations for an R7 Overlay as follows; *"...locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density, multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning...."*

"...moderate to high density, multi-family housing in a form and density exceeding that in the R6 Zone....": 66-68 High Street is located on the peninsula in an R6 location characterized by moderate to high density, multifamily housing that exceeds the density allowed in the R-6 Zone.

**66-68 High Street
Zone Map Amendment Application**



The map and corresponding chart provided in **Exhibit A** documents the multifamily housing properties within the neighborhood that exceed the density for an R-6 Zone. This map illustrates that there are more than 25 multifamily housing properties within a two block radius of the subject parcel that have a density that exceeds the allowable density for the R-6 Zone. These properties consist of both for-sale (condo) and rental housing that range in density ranging from approximately 215 to 1,130 square feet per unit, in size from 5 to 168 units, in height from 3 to 7 stories and in year of construction from pre-1900 to 2009.

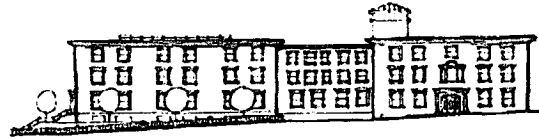
“...where an infill development opportunity exists...”: The Project is proposed for a site where clearly an infill development opportunity exists. The property consists of a nearly vacant historic building that is in good condition and, based on analysis by architects, engineers and historic consultants, can be converted to residential use in conformity with current building codes. In addition, the lot contains sufficient undeveloped land to accommodate a new addition that conforms with existing multifamily housing building codes and R7 zoning requirements.

“...and areas of the peninsula with mixed business and residential zoning...”: As depicted in the map provided in **Exhibit B**, the Project is proposed for a site on the peninsula that is located less than one block from downtown Portland and a high density business zone, B3.

The ordinance further defines ‘appropriate’ locations for the R7 Overlay as follows, *“...Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service...”* The Maine State Planning Office defines walk-able as .25 miles. As demonstrated by the maps provided in **Exhibit C**, the Project is located within a walk-able distance of;

downtown Portland	public parks
grocery	public library
convenience stores/markets	museums
restaurants	public parks
shopping	public school
pharmacy	churches
day care facilities	metro stops
fitness centers	Portland trail system
health care facilities	Portland waterfront
private parking garages	public parking garages

66-68 High Street
Zone Map Amendment Application



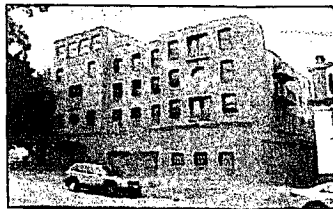
- b. The site proposed for the Project also meets the test as an 'appropriate' location for an R7 Overlay because the Planning Board and City Council have already deemed that this location and the surrounding neighborhood are suitable for an R7 Overlay, as well as high density multifamily housing developments—and, have incorporated those determinations into the Zoning Ordinance.

The City Council has approved three high density multifamily housing developments in close proximity to the Project, including one directly across High Street and a second less than one block from the Project. Each of the developments proposed a density significantly greater than the one proposed for the subject property. Yet, in these approvals, the Council specifically acknowledged that high density multifamily residential projects in this neighborhood 1) are consistent with the Comprehensive Plan and 2) would not unreasonably interfere with existing and permitted uses and/or negatively impact the surrounding residential community.

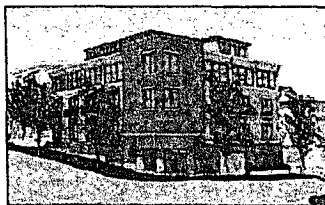
Furthermore, in the case of 81 Danforth, located directly across High Street from the Project, the City Council determined; "...WHEREAS, the proposed development is consistent with the purposes of the R7 Compact Urban Residential Overlay Zone as it is on the peninsula; in a location characterized by moderate to high density multi-family housing; within walking distance of downtown or other work places, shopping and community facilities; will have access to public transit service; and will provide opportunities for compact in-city living for owners, and possibly renters, representing a variety of income levels in small households...." The chart below summarizes each of the previously approved high density multifamily housing developments for the subject neighborhood.

Approved High Density Multifamily Housing Developments in Subject Neighborhood

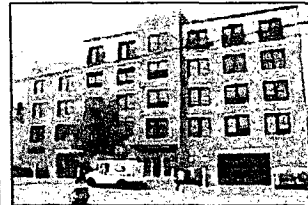
Project Name	Street Address	CZ No.	Lot Size (square feet)	Units	Density (SF per unit)	Date of Approval
subject property	66-68 high	n/a	23,797	35	680	n/a
casco terrace	41 state street	C29	10,150	27	376	Apr-03
danforth on high	danforth/high	C49	7,619	26	293	Dec-07
53 danforth	53 danforth	C51	16,568	43	385	Jun-08



Casco Terrace, 41 State Street

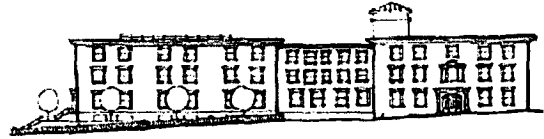


Danforth on High, 81 Danforth Street



53Danforth

66-68 High Street
Zone Map Amendment Application



3. Is the proposed project consistent with the City's Comprehensive Plan and housing plans?

Yes. The Project is consistent with the City's Comprehensive Plan and, more specifically, the housing component of that plan, *Housing: Sustaining Portland's Future*.

Housing: Sustaining Portland's Future lays out six major policy objectives to achieve the City's housing goals and address Portland's housing shortage. Each of these primary policies outlines a number of secondary policy goals. The proposed Project is consistent with or meets at least 17 of the housing policy goals detailed in the city comprehensive housing plan;

Policy #1: Ensure an Adequate and Diverse Supply of Housing for All

- i. *Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied.*

The Project will provide affordable housing to households earning between \$20,000 and \$45,000 annually.

- ii. *A variety of housing choices should be available such that no one should have to spend more than 30% of their income for housing.*

The Project will be financed with low income housing tax credits, a financing tool specifically designed to set rents at affordable levels—i.e. approximately 30% of household income—for low and moderate income households.

- iii. *Encourage higher density housing located near services, such as schools, businesses, institutions, employers, and public transportation.*

As previously documented, the Project is a moderate density development near the services and facilities listed above.

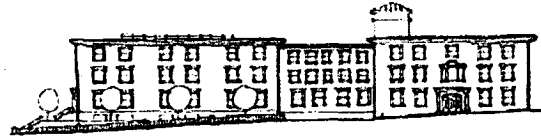
- iv. *Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords.*

The Project will bring 35 new units into Portland's rental housing stock.

- v. *Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.*

The Project involves a parcel that—as a result of the demolition of a historic property in the 1960's—has a large undeveloped component.

**66-68 High Street
Zone Map Amendment Application**



Policy #2: Preserve a Quality Housing Stock

- i. *Assist with the restoration and rehabilitation of architecturally significant residential properties within and outside of Portland's historic districts.*

The Project involves the historic rehabilitation of a building located in Portland's first historic district.

- ii. *Target vacant buildings for maintenance, rehabilitation and reuse.*

The Project involves a nearly vacant building that can be converted to residential use.

Policy #3: Neighborhood Stability and Integrity

- i. *Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of the City's residential neighborhoods.*

The Project's conceptual design thoughtfully borrows directly from the scale and massing of the historic building that occupied the site for 160 years.

- ii. *Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.*

As documented previously, the Project is located in close proximity to the neighborhood assets listed above.

- iii. *Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.*

As an affordable housing property with a mix of one, two and three bedrooms, the Project will add socio-economic diversity to the neighborhood

Policy #5: Sustainable Development

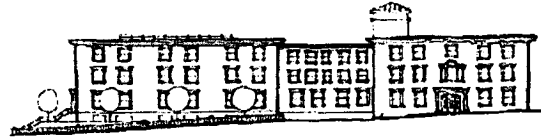
- i. *Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services and an affordable tax rate.*

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Zone Map Amendment Application



Section III: Two Key Questions

66-68 High Street
Zone Map Amendment Application



Section III: Two Key Questions

This section address two key questions raised by the Planning Board during the July 27th Work Session.

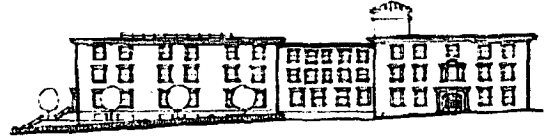
1. **Why is the R7 Overlay—rather than Conditional or Contract Zoning—the appropriate zoning tool to use for the Project?**

A R7 Overlay is the appropriate zoning tool to use for this Project for two reasons;

- a. The R7 Overlay was incorporated into the Zoning Ordinance “...to encourage and accommodate....” moderate and high density multifamily housing in appropriate locations on the peninsula and consistent with the city’s Comprehensive Plan. To the extent that there is a proposed development that is 1) moderate to high density multifamily housing, 2) in an appropriate location, 3) consistent with the City’s Comprehensive Plan **AND** 4) can be developed in conformity with R7 zoning standards, then the R7 Overlay is the tool created by the City Council to encourage and accommodate that development. The enclosed information clearly illustrates that the Project meets the three threshold tests outlined above. Furthermore, the Project as proposed can be developed in conformity with all R7 zoning standards, as detailed in the zoning analysis below.

Description	Residential R-6	Residential R-7	Proposed Project
Multi-family Dwellings	Permitted	Permitted	---
Minimum Lot Size	4,500 Square Feet	None	23,797 Square Feet
Minimum Street Frontage	40 Feet	None	200 Feet
Minimum Front Yard Setback	10 Feet	None	15 Feet
Minimum Side Yard Setback	10 Feet (3 Stories)	5 Feet	25 Feet
Minimum Rear Yard Setback	20 Feet	5 Feet	30 Feet
Minimum Lot Width	50 Feet	30 Feet	200 Feet
Maximum Lot Coverage	40 Percent (20+ Units)	100 Percent	57 Percent Building Coverage 76 Impervious Surface Coverage
Maximum Density	1,200 SF/Unit	435 SF/Unit	680 SF/Unit
Maximum Bldg. Height	45 Feet	50 Feet	45 Feet
Open Space Ratio	30 Percent (20+ Units)	None	24 Percent
Parking Spaces	2 Spaces / Unit plus 1 space/6 units	1 Space / Unit	15 Spaces (Building Addition)

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It is important to note that there have been three comparable multifamily housing developments located in close proximity to the Project that have been approved by the City Council under Conditional or Contract Zoning. These three projects—41 State Street (Casco Terrace), 53 Danforth and 81 Danforth—required conditional zoning because, in part, they did NOT meet R7 Overlay zoning requirements for density and parking; that is, these projects could not be developed under an R7 Overlay and, therefore, required conditional zoning. The proposed Project is materially different from the three previous multifamily housing developments approved for this neighborhood in that it can be built in compliance with R7 zoning standards.

- b. Conditional or Contract Zoning is intended, generally, as the zoning tool of last resort and, specifically, for the purpose of ensuring that a development project, which has a unique or unusual feature is ultimately consistent with the City's Comprehensive Plan.

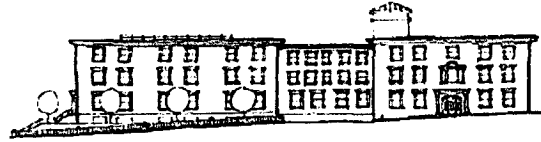
As indicated above, the Project can be built using an R7 Overlay and, as such, the R7 Overlay is the least restrictive tool available to the Planning Board and City Council to encourage and accommodate the proposed development. The fact that the Project can be developed using an R7 Overlay further suggests that there is not an unusual nature or unique location of the development. Finally, as demonstrated within this submittal, the Project is consistent with the city's Comprehensive Plan, and, going forward, the Planning Board and City Council can ensure that this project remains consistent with the Comprehensive Plan using the R7 Overlay, as well as Site Plan and Subdivision review.

2. **Should an R7 Overlay be utilized for this project—rather than Conditional or Contract Zoning—given that it will provide the property owner the right to build up to 54 housing units (even though the applicant only proposes 35 units)?**

Any concern that 54 units could theoretically be developed on the site should a R7 Overlay be approved is mitigated by the three factors;

- a. **Remaining Regulatory Review Process:** If an R7 Overlay is approved, the Planning Board and city will regulate what is ultimately developed on this site through the Site Plan and Subdivision approval process. Of particular note, since the site is located in a locally designated historic district, any development involving this property must also receive a Certificate of Appropriateness from the city's Historic Preservation Board as part of the Site Plan review. In issuing that certificate, the board will apply the Secretary of Interior Standards for Historic Preservation—which include review of any new construction and

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additions. Therefore, even after an R7 Overlay is approved, the city will continue to have direct purview over the scale, massing and density that is proposed for this site.

To support the case outlined above, the concept development plans presented in this submittal are based directly on feedback the project team received during initial discussions with its historic consultant and the city's Historic Preservation Program Manager. Based on this initial input, it is unlikely that a 54-unit project—and the associated building mass necessary to accommodate that number of units—could receive a Certificate of Appropriateness from the Historic Preservation Board.

- b. **Practical Finance Limiting Considerations:** CHOM has received a preliminary financing approval from MaineHousing based on a 35-unit project. If the unit count is increased, CHOM will have to resubmit a financing plan to MaineHousing, thus jeopardizing the in-place financing commitment for the Project.

- c. **Practical Site Limiting Considerations:** Notwithstanding Historic Preservation Board approval, the maximum number of units that this site can accommodate under the R7 Overlay is significantly restricted by physical site issues. Specifically, the R7 Overlay requires a 1:1 parking ratio for each unit added to the site as part of a new addition. Absent multi-level structured parking—which is financially and politically infeasible—the site can only accommodate an estimated 17 parking spaces and, therefore, 17 apartment units in the new addition. The existing building because of its layout and historic nature has physical constraints that make it highly unlikely that it could accommodate 34 marketable units. (CHOM is proposing 20 units in the existing building based on input from its architect, engineer, and historic consultant, as well as findings from a market study.)

Notwithstanding the three mitigating factors outlined above, it is also important to note that Conditional or Contract Zoning is not an absolute safeguard that 35 (or fewer) units will be developed on this site. For example, the conditional zone process might result in negotiated site development requirements that increase the total development costs, which in turn could necessitate a higher number of units (and rental income) to offset those costs. Or put another way, in terms of policy, the negotiated site development requirements may be a higher priority for the city than capping the project to 35 units. As demonstrated by the three most recently approved multifamily housing properties near this site, there is strong precedent for the Planning Board and City Council to support much higher densities in this neighborhood through Conditional and Contract Zoning than the density proposed for the Project.

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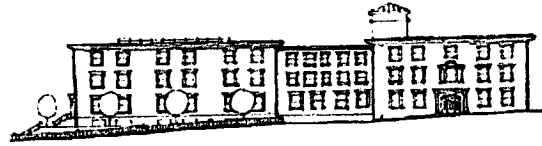
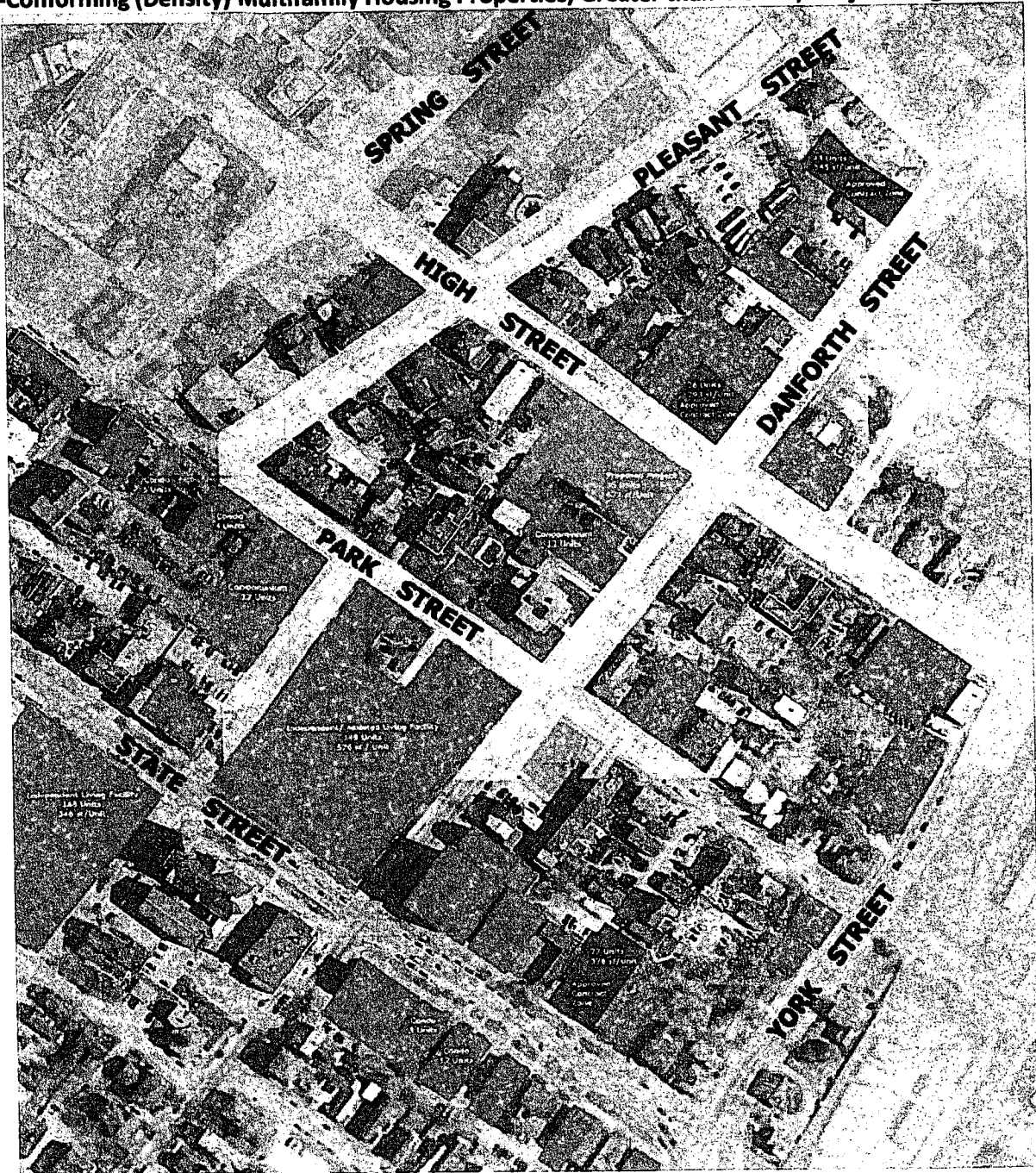


Exhibit A:
Map: Non-Conforming (Density) Multifamily Housing Properties, Greater than 4 Units, Subject Neighborhood



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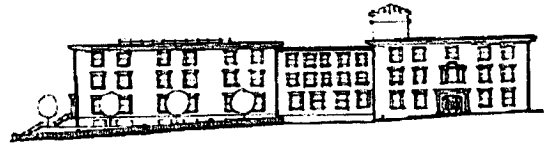
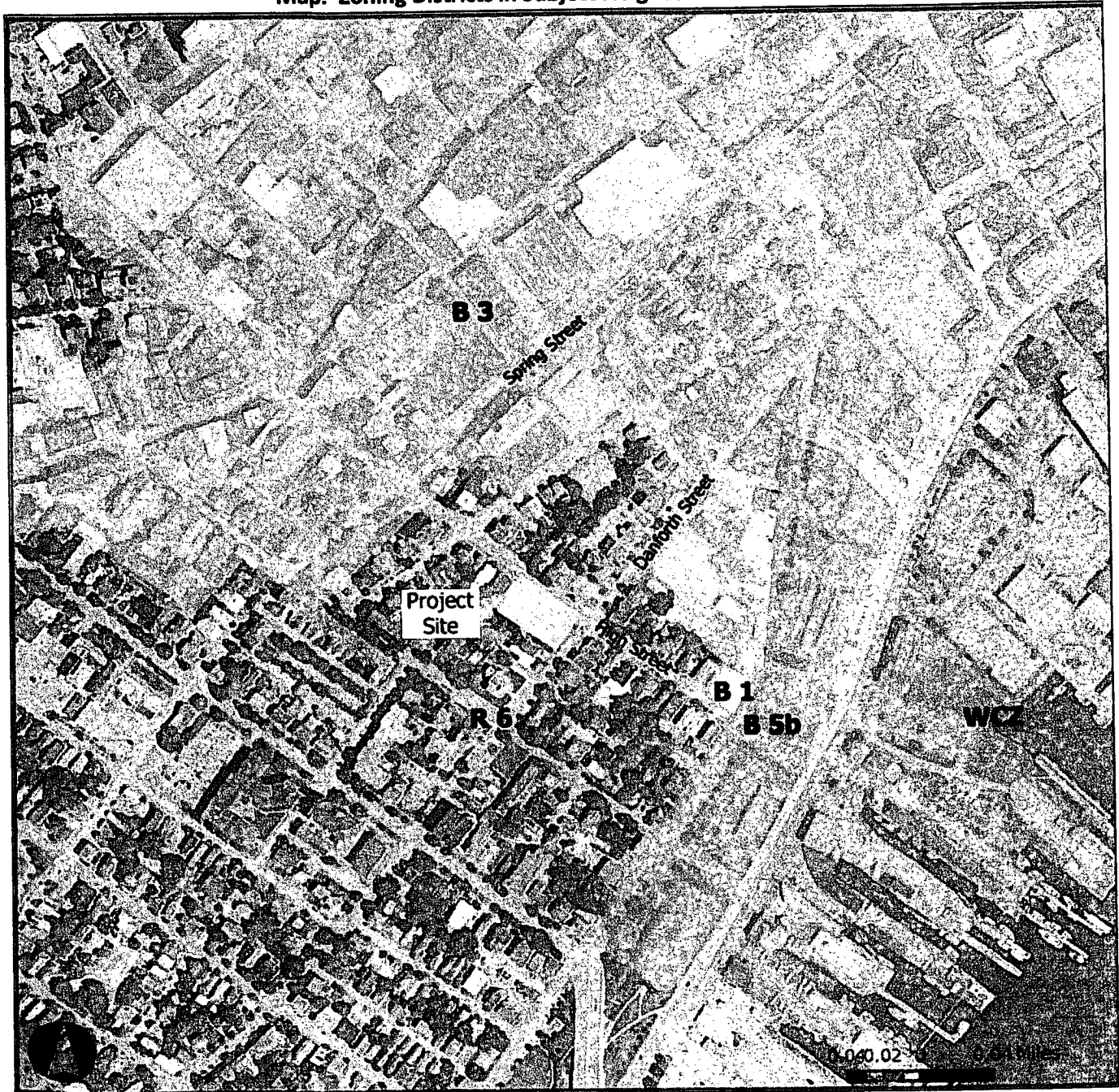


Exhibit B
Map: Zoning Districts in Subject Neighborhood



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Zone Map Amendment Application

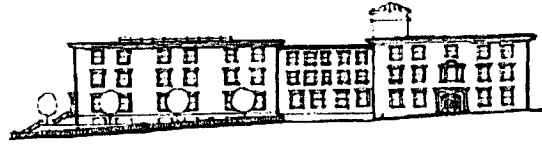


Exhibit C:
Maps: Neighborhood Assets & Off-Street Parking



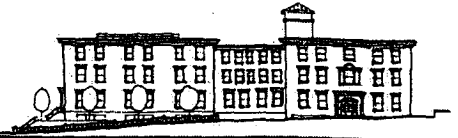
66-68 High Street



NEIGHBORHOOD MEETING

August 19th, 2010

66-68 High Street



SCHEDULE/AGENDA

1. Introduction (Todd Alexander | Community Housing of Maine)
 - a. Housekeeping Items
 - b. Why are we here?
 - c. Our Vision

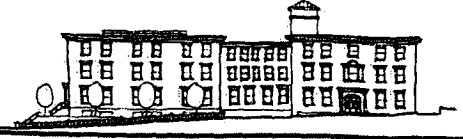
2. Conceptual Design Plans
 - a. Historic Site (Scott Hanson | Sutherland Conservation & Consulting)
 - b. Building Design (Ben Walter | CWS Architects)
 - c. Site Plan (John Mitchell | Mitchell & Associates, Landscape Architects)

3. What makes this 'affordable' and 'workforce' housing? Who's going to live here? (Todd Alexander | CHOM)
 - a. Affordable Housing
 - b. Workforce Housing

4. Why is CHOM doing this?

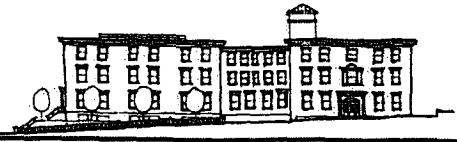
5. Public Comment/Q&A

66-68 High Street



<<PLACE HOLDER: HISTORIC SITE SLIDES>>

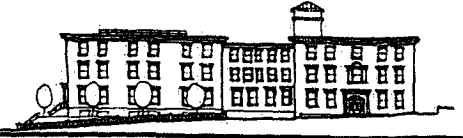
66-68 High Street



CONCEPTUAL DESIGN: BUILDING ELEVATION FROM HIGH STREET



66-68 High Street



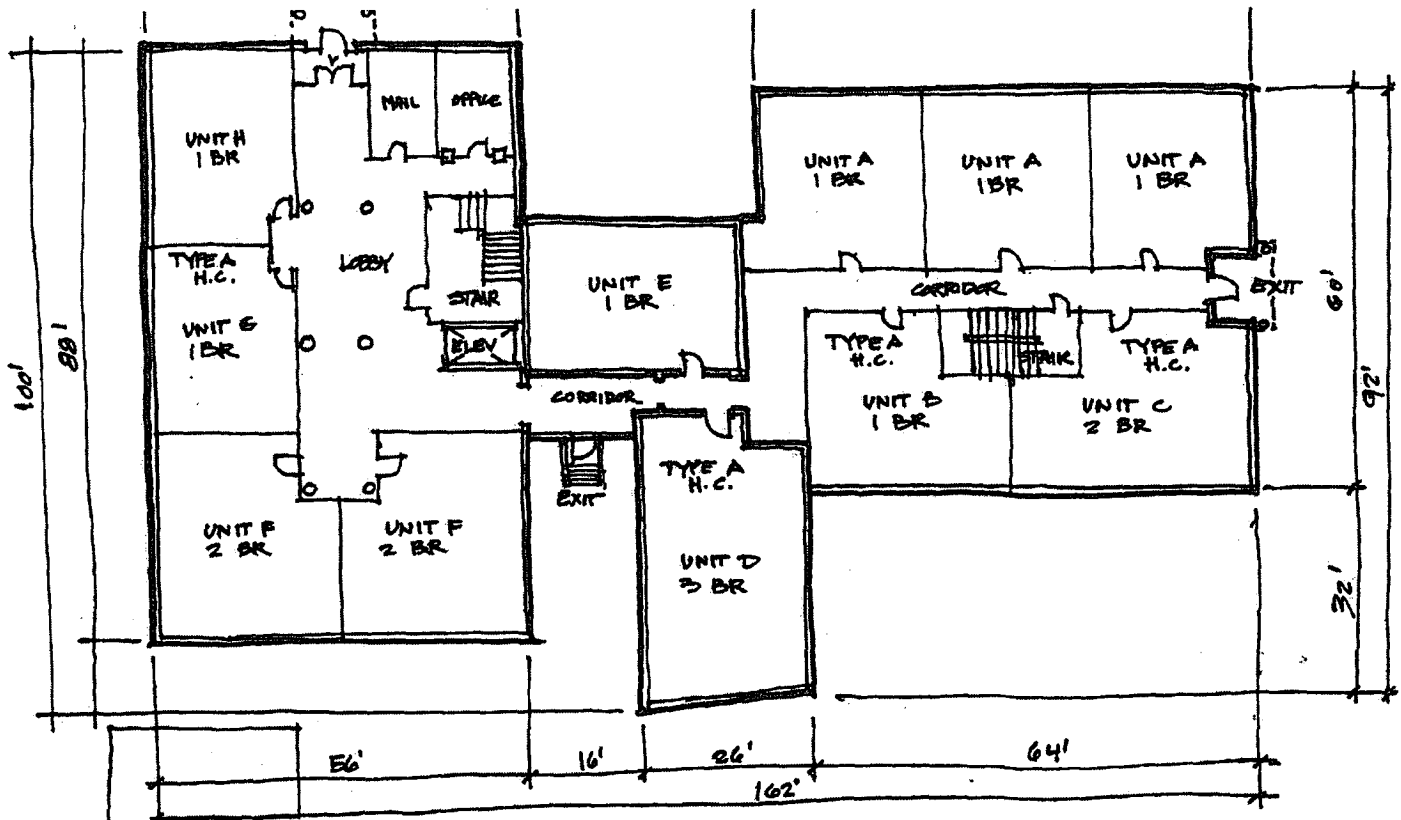
CONCEPTUAL DESIGN: BUILDING ELEVATION FROM DANFORTH STREET



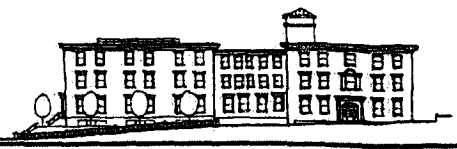
66-68 High Street



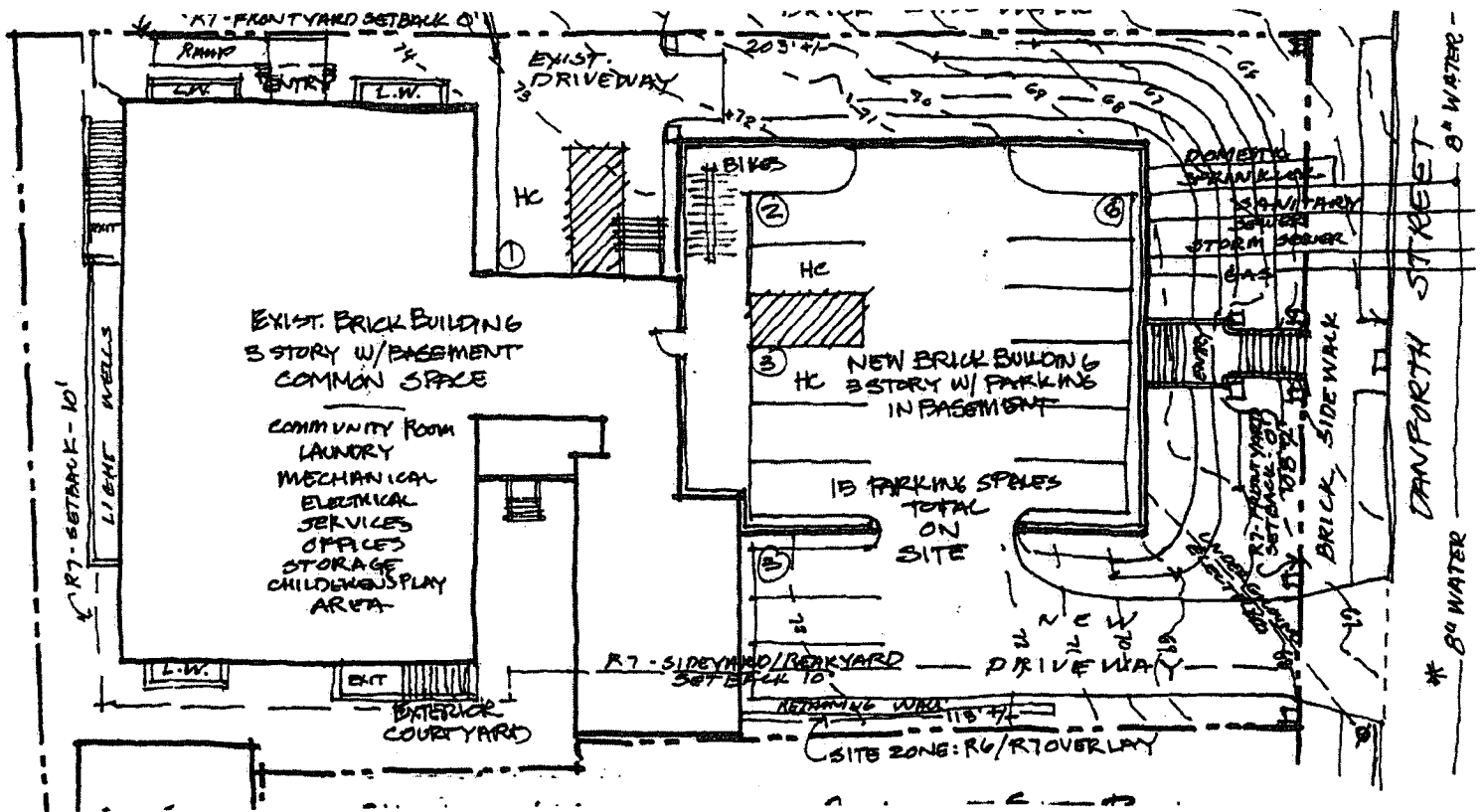
CONCEPTUAL DESIGN: REPRESENTATIVE RESIDENTIAL FLOOR PLAN



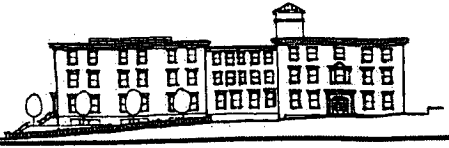
66-68 High Street



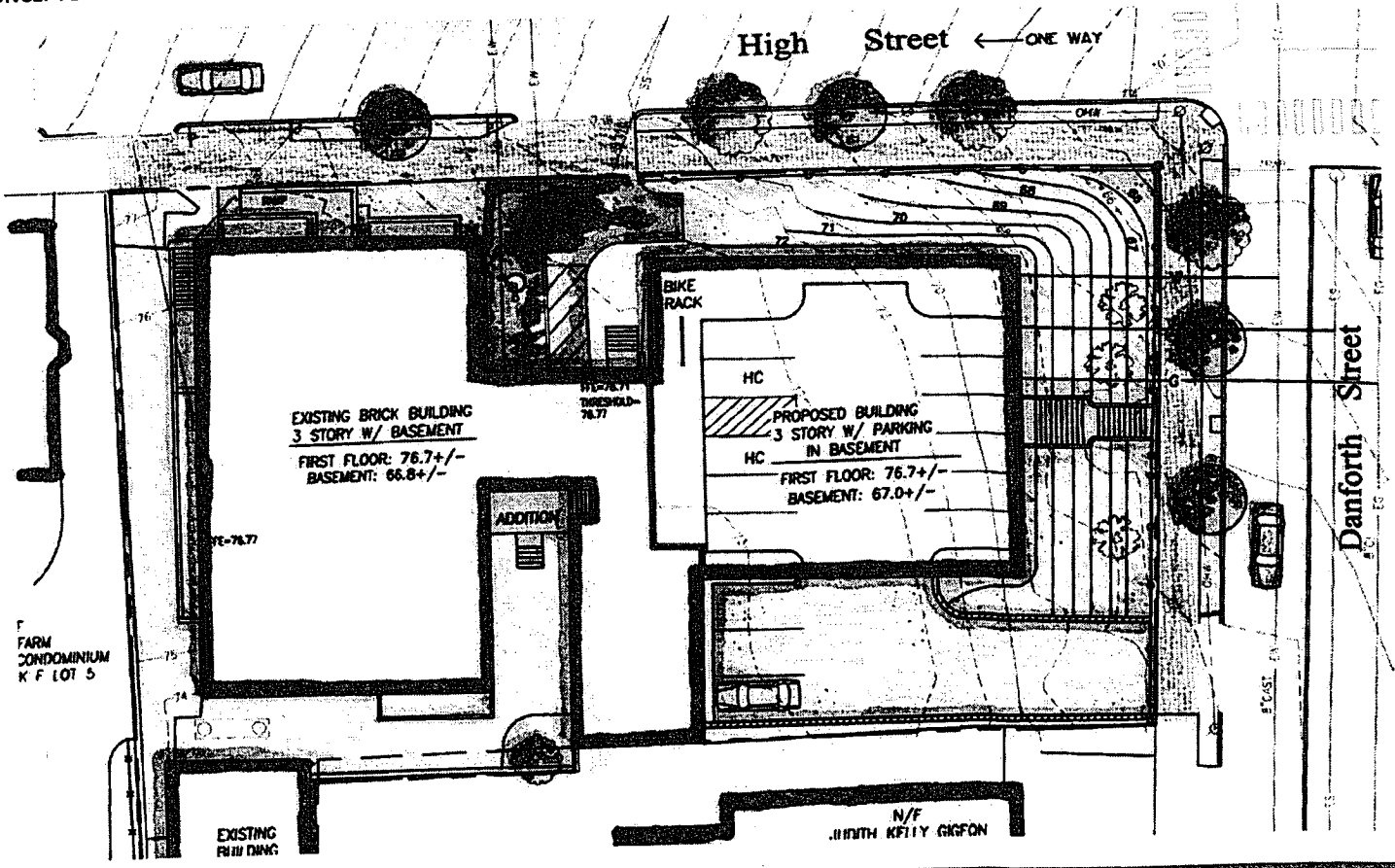
CONCEPTUAL DESIGN: BASEMENT LEVEL / GARAGE FLOOR PLAN



66-68 High Street



CONCEPTUAL DESIGN: SITE PLAN



66-68 High Street



WHAT MAKES THIS 'AFFORDABLE' AND 'WORKFORCE' HOUSING? (WHO WILL LIVE HERE?)

o Affordable Housing:

➤ As a condition of the financing that the project will receive, there will be a 1. maximum income that an applicant can have to be eligible to live at the property and 2. a maximum rent that we can charge. Those maximums are below 'market' averages.

➤ If the property was operating today, the maximum income and rent levels would be;

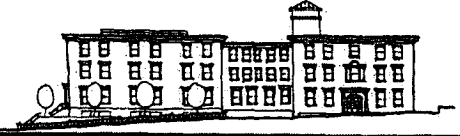
Estimated Maximum Income Caps

Household Size	Maximum Income Levels		Portland Median Income
	Type I Apts	Type II Apts	
1 person	\$25,500	\$30,600	\$51,000
2 person	\$29,150	\$34,980	\$58,200
3 person	\$32,800	\$39,360	\$65,500
4 person	\$36,400	\$43,680	\$72,800

Estimated Maximum Rents

Unit Type	66-68 High Asking Rents		Market Rents
	Type I Apts	Type II Apts	
1 bedroom	\$635	\$775	\$930
2 bedroom	\$765	\$925	\$1,110
3 bedroom	\$880	\$1,065	\$1,295

66-68 High Street

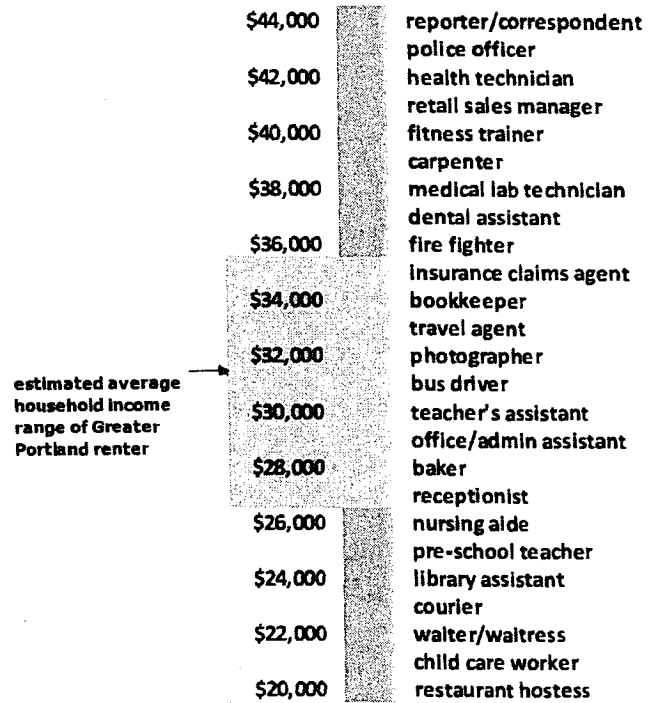


WHAT MAKES THIS 'AFFORDABLE' AND 'WORKFORCE' HOUSING?

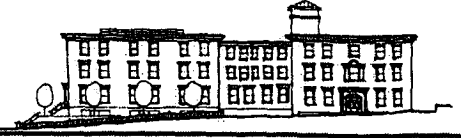
o Workforce Housing:

- Regardless of maximum income levels, an applicant must also demonstrate the ability to pay the asking rent.
- If the property were operating today, the income range that an applicant should be within to be eligible to live at the property would be approximately \$20,000 to \$44,000, depending on household size. This range compares favorably to the average household income of the average renter in Greater Portland, as well as average wages for many peninsula based occupations.

Estimated Minimum and Maximum Income Levels of Eligible Applicants as Compared to Average Wages by Occupation in Portland MSA



66-68 High Street



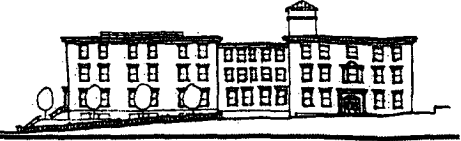
WHY IS CHOM DOING THIS?

- CHOM'S mission is to create, own and operate housing for at-risk and underserved populations. In Greater Portland (and other areas of Maine), low and moderate income households are an at-risk and underserved population as it relates to high-quality affordable rental housing. The problem in Greater Portland is two-fold; 1) severe lack of supply, 2) average rents are unaffordable for the average renter.

- Lack of Supply:
 - Portland just completed its Strategic 5-Year Consolidated Plan for Housing & Community Development and determined that the city requires 3,408 new rental units over the next 15 years to meet projected new demand—a production rate of roughly 225 apartments per year.
 - A market study completed this spring determined that the vacancy rate for affordable rental properties in Greater Portland is estimated to be 2.0% -- which, factoring in down units as part of normal unit turnover, translates to an effective vacancy rate of 0%.
 - CHOM recently completed a phone survey of comparable rental properties on the Portland peninsula representing more than 1,200 units. Included market rate, mixed income and affordable properties. Total number of vacant units: 14.

- Low Affordability:
 - The average income required to afford the average 2-bedroom apartment in Greater Portland is \$41,225. The average renting household in Greater Portland earns between \$27,225 and \$35,313 annually.
 - There are 15,750 renters in Portland. Of these 42% are either Cost Burdened or Severely Cost Burdened.

66-68 High Street



END OF PRESENTATION

PLEASE SIGN IN

Name	Address	Phone	Email
Joan Donnen	88 Park St. #1 (04101)		Joan2@myfairpoint.net
Sheryl McKenri	5 Shattuck Pl	774-5030	SSE SmcGin56@gmail.com
David Fenton	796 Park St		crossleer22@yahoo.com
Karen Harrison	PO Box 7784 / 04112	774-0025	karen.harrison@maine.edu
ANNIE PRINGLE FOR ALEX PRINGLE	72 HIGH ST 04101	318-5019	OLDMAYOR@MAYOR.M.C.D
Isabel Anderson	124 Pleasant St.	776-3311	isauder ¹⁹³⁶ @yahoo.com
DAVID LACASSE	80 HIGH ST	831-1980	LOAPKIT@MAYOR.PD.COM
JANE FORAN	94 PARK ST	329-7579	JANE FORAN 2 AOL.COM
Judith Kelly	97 Danforth	415-6423	JKELLY1@maine.rr.com
Ellen Call	77A Park St. 04101	761-2888	CallEllenFWM@aol.com
Tilly Weir	59 State St. # 47		etweir1@gmail.com
Rosanne Graef	30A Salem St. 04102		rgraef@gwi.net
John HARRISON	67 High St.	773-1376	67HighSt@gmail
Joseph Thompson	67 High	773-1376	j7731376@gmail
Hilary Bassett	93 High St, Greater Portland Landmarks	774-5561	hbassett@portland Landmarks.org
Nate Huxkel-Bauer	78 High St. #1		
Tanya Richards	74 High St #2		tanyanas@gmail.com
Christine Hey	74 High St		Chey@maine.rr.com

Children's Hospital Neighborhood Meeting 8/19/2010

Neighbors in attendance: Justine Alynn, Isabel Anderson, Hillary Bassett, Ellen Call, Jamie Campbell, Joan Donnen, Nancy Dorrans, David Fenton, Jane Foran, Rosanne Graef, Steve Graef, John Harrison, Karen Harrison, Christine Heye, Nate Huckel-Bauer, Judith Kelly, David LaCasse, Pandora LaCasse, Pamela Lord, Sheryl McGinnis, Ellen Murphy, Anne Pringle, Tanya Richard, Sarah Schindler, Robert Theberge, Joseph Thompson, Tilly Weyl.

CHOM Staff in attendance: Todd Alexander, Erin Cooperrider, Cullen Ryan, Kyra Walker, and Lee Andrews

Other collaborative partners in attendance: Scott Hanson, Ben Walter, John Mitchell and Sashie Misner.

Meeting called to order by Todd Alexander at 6:38pm.

1. Todd gave a brief introduction of CHOM, what we do and who we are. Todd introduced the development team- himself and Erin Cooperrider.
2. Erin introduced other CHOM staff including the Asset Management team, Kyra Walker and Lee Andrews, and Cullen Ryan, the Executive Director. The design team was introduced Scott Hanson, Sutherland Conservation & Consulting; Ben Walter, CWS Architects; and John Mitchell, Mitchell & Associates, Landscape Architects.
3. Why is CHOM here?
 - a. CHOM has started the permitting process and wanted to provide information and get feedback from the neighbors.
 - b. CHOM is a non-profit housing developer with 14 years of experience. CHOM is different from other non-profit housing developers because of the collaborative approach used. CHOM collaborates with the neighbors, various service providers, architects, landscapers, etc. CHOM believes that good collaboration equals success. Erin suggested people visit the website to better understand CHOM's work and experience www.chomhousing.org
 - i. Q: Where on the peninsula does CHOM have other projects?
A: Erin responded; there are none on the peninsula yet and that is mainly because there is already a lot of talent in the development of affordable housing in Portland. The motivation to do this project was the opportunity introduced to CHOM to do something really great with this building in particular.
 - c. Name for the project – there is not a name for the project currently. The goal is to do a great project with support from the neighborhood and the city; this will be CHOM's neighbor as well. Given the building, the neighborhood, and the CHOM team, we know that we can achieve success. There will be ongoing collaboration to ensure this project remains successful.
4. Scott Hanson, Sutherland Conservation & Consulting – Scott's involvement with this project is focused on guiding the process for use of historic preservation tax credits and approvals through the Historic Preservation Board.
 - a. History of site – Scott gave a brief history of the Mussey Mansion which was built in 1876. In 1910 the Mussey Mansion was combined with Children's Hospital. In 1909 the Children's Hospital was completed extending onto High Street and it stood this way from 1909-1962. In 1942 the mansion was covered with ivy and the fence was installed, which still stands today.
 - b. The new plan – the goal is to restore the site to the existing building footprint. For $\frac{3}{4}$ of the time the building existed, there was a structure that extended onto High Street.
5. Ben Walter, CWS Architects - has collaborated with CHOM for 6 years. CWS has mostly focused on multifamily housing and restoration work. CWS tends to work in more urban settings in restoring historic buildings to allow an additional 100 years of use. Their most recent work has been the Bessey School in Scarborough. This project is a similar restoration to High Street in that they are historic tax credit, affordable housing, and historic

preservation rehabilitation projects. CWS's most current work with CHOM includes Maine Hall in Bangor, also a historic restoration for affordable housing on the Bangor Theological Seminary campus.

- a. First approach - what is the best way to restore the historic building? Preserve the character of the lawn that wraps around the building. The terrace lawn in the design reflects that. Every historic photo shows elm trees; in the last 10 years they have developed new strains of elm trees that are disease resistant. Part of the project will re-introduce new elm trees. The elevator tower is an existing component, when looking at the historic photos it doesn't show the height.
 - i. **Q:** Pamela Lord – what are the utilitarian aspects of the building?
A: The plan of building comes first. Todd responded that we can talk further about that after the design presentation.
- b. Site sketch – there are several ideas for trash removal, one being the utilization of the service ally considering the original intent to use this area was for trash removal. Erin explained that some other specific ideas include an internal trash room and then the trash would be wheeled out to sidewalk. A dumpster is another idea. Todd added that one of the nice features in the building is the direct access to the back parking lot from the basement.
 - i. **Q:** Joseph Thompson – what is the minimal level of LEEDs certification required for this project?
A: Erin – while there is no requirement, CHOM's internal goal is to gain silver certification.
 - ii. **Q:** Nancy Dorrans – what is LEEDs?
A: Ben - Leadership in Energy & Environmental Design (LEED) is a green building certification system, providing third-party verification that a building was designed and built using strategies intended to improve performance in metrics such as energy savings, water efficiency, CO2 emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. Even though it is not required at this property, we may go for a LEED certification.
 - iii. **Q:** David Fenton – how are you going to heat the building?
A: We are not sure yet. We are looking at the building as a whole and will see what the most efficient heating system available is. We will undergo energy modeling to find the best return on our investment. Erin asked David if he has a preference. David's preference would be gas and something highly efficient.
- c. Ben went back to the site plan to discuss parking. The idea is to conceal parking so it doesn't look like a parking lot. Similar to the Victorian Mansion there would be a ramp leading down to parking so it would be below street level.
 - i. **Q:** Ellen Call – how many spaces will there be?
A: There is no definite answer yet, but the intent is to make adequate parking for the building.
 - ii. **Q:** Will most of the clients have cars?
A: There is a 15 parking space requirement. We are looking into alternate solutions such as a shared car for the property and/or renting additional parking spaces at another location.
 - iii. **Q:** Isabel Anderson – David Marshall said that the project would be feasible for people because it is only 1 block from Congress St, but it is actually 3 blocks, and that a grocery store is 3 blocks when it is actually 6 blocks away. This is not realistic in the winter for people who do not have vehicles.
 - iv. **Q:** Rosanne Graef – is there a requirement for 1:1 parking? Will every tenant have a parking space?
 - v. **Q:** Sarah Schindler - what are the permitting requirements?
A: The zone amendments – R7 compact residential overlay zone for this parcel. The purpose is to encourage and support high density traffic.
 - vi. **Q:** Pamela Lord – what is the average size of one unit?
A: 600 square feet for a 1BR, 800 square feet for a 2BR, 1000 square feet for a 3BR.

6. John Mitchell, Mitchell & Associates, Landscape Architects – John’s role is to assist in site design and to take the project through the permitting process. The site design is still in the conceptual stage. The site is a little over ½ an acre in size and is within the R6 zone, but is also eligible for the R7 compact overlay zone, which is what CHOM is requesting from the city. The former mansion is located on an elevated plateau facing Danforth Street. The proposal is to renovate the existing building into residential housing, construct a new edition on the former footprint of the Mussey Mansion, restore the grass slope on Danforth Street and High Street, and build a new stairwell to resemble the former stairwell. Access to the building will be off of Danforth, 110 feet from the intersection. There will be access through the basement to 11 parking spaces and there will be 4 additional spaces including a handicapped space. There will be a gated service entry for maintenance, etc. There will be new elm trees, with the remainder of the property landscaped with shrubs and trees. The minimum front yard setback is 15 feet from the building, under R7 there is no set back requirement. The side yard proposal is a 25 foot setback, R7 requirements are 5 feet. The rear yard proposal is a 30 feet setback, R7 requirements are 5 feet.
7. Todd – What is Affordable Housing? The Low Income Housing Tax Credit (LIHTC) program is the actual terminology. You will also hear the term “Workforce Housing” used as well.
 - a. Data – What makes this affordable housing? The maximum income limit for residents is based on family size and there is a maximum rent limit depending on the unit size. The rents are slightly below market rents.
 - b. Workforce Housing – there is a minimum threshold for what the income has to be in order for someone to live in workforce housing. Generally that income falls between \$20,000 and \$44,000 annual income per year.
 - c. Why is CHOM doing this? CHOM’s mission is to own, operate, and manage at risk and underserved populations. There is a lack of affordable units in Portland’s housing market. Studies show that Portland needs to gain 3,400 additional rental units to meet the new demand. Vacancy rates hover at 1.5 -2% for affordable housing in Portland. CHOM conducted an internal survey and found that of 1,200 affordable housing units in Portland, only 14 of them were vacant. The average renter in Portland cannot afford the average rents. If someone is spending more than 30% of their gross income on rent or a mortgage, they are considered overburdened.
 - i. Q: What towns are included in the greater Portland survey?
A: Not sure if areas of Westbrook and South Portland are included.
 - ii. Q: Pamela Lord – who will manage this project?
A: CHOM will be the General Partner/owner of the property and will hire a third party manager to run the day to day operations. CHOM currently has a relationship with Preservation Management (PMI) and plans to have them manage this property. PMI is based out of South Portland and manages 1,250 units in Maine and over 7,100 units nationally.
 - iii. Q: Robert Theberge – what are the economics of the project? By my estimates, the cost will be \$242,000 per unit (8.5 million). How will affordable rents provide enough revenue to operate this property? Will rents be subsidized?
A: Rents will not be subsidized. Rental revenue will cover operating costs and the funding of a replacement reserve account. The LIHTC program was created as a mechanism to create affordable units with minimal (payable) debt. The LIHTC program incentivizes private investors to buy tax credits that the developer has been awarded which generates the financial resources to create affordable housing.
 - iv. Q: David Fenton – is the money only coming from historic tax credits?
A: More than \$2 million is. CHOM applies once for a 10 year allocation.
 - v. Q: David Fenton – would CHOM consider not adding the addition?
A: We need to get to a minimum threshold of units in order to create enough cash to cover operating expenses.
 - vi. Q: David Fenton – did you find that you could not do the project without the addition?
A: 35 is not the exact number, but more than 20 units are needed.
 - vii. Q: Anne Pringle – could we see a pro-forma that demonstrates the project is financially feasible and will not be possible with fewer units?

- viii. **Q:** Robert Theberge – does the Planning Board ask for a business plan? My concern is with the density being proposed in an R6 zone. If you can do 20 units in the R6 zone I would be happier with that.
A: It is very early on in the process so I am unaware if a business plan is required. A 20 unit property will not generate enough revenue to pay for the operating costs of the project.
- ix. **Q:** Ellen Murphy – what is the apartment size breakdown? Who do you expect to live in the property in terms of determining density?
A: There will be 20 (1 bedrooms), 12 (2 bedrooms) and 3 (3 bedrooms). We anticipate that the property will have an average of 1.5 people per bedroom with a comparable population to 51 Danforth St. Tenants will range from seniors to single people who want affordable housing on the peninsula in a professionally managed building. In our 3 existing workforce housing projects, tenants are primarily single parents with kids. The majority of our other residents are elderly, disabled, or single people starting their careers.
- x. **Q:** Karen Harrison – is there a mechanism to develop this property without going for the R7 zone change?
A: We need an R7 zone change as it will allow up to 57 units to be created. If the zone change was approved, but the project was never completed, the next project would also need approval from the city before it could move forward. In Portland, the Historic Preservation Board would need to issue a certificate of appropriateness; 57 units wouldn't happen automatically.
- xi. **Q:** Why not just apply for a contract zone?
A: We have been guided by city staff to apply for an R7 zone change.
- xii. **Q:** Pandora LaCasse – how many people per unit do you envision in these units?
A: No more than 2 people per bedroom.
- xiii. **Q:** Pandora LaCasse – I looked at the CHOM website and it seems that this project is larger than most of the projects that you have developed.
A: CHOM and our management company have a lot of experience. We are very proud of our smaller supportive housing properties that are featured on our website. We have developed other workforce housing properties throughout the state (In addition to 66-68 High St - 3 are complete, 2 are under development). Though CHOM isn't large enough to manage this many units in house, PMI is a national management company with a lot of experience. CHOM will continue to work closely with PMI after initial lease-up.
- xiv. **Q:** Hilary Bassette – our group would like to meet with your team.
A: Great!
- xv. **Q:** Anne Pringle – will you allow people to stay in their unit if their income goes up or will they be forced to move out because they will be considered over income? Will you take Section 8 vouchers? Can you change the use of this housing from affordable to supportive housing in the future? What will happen if the project doesn't work?
A: There are many people involved in reviewing the feasibility of this project. Rental income will support operations. The commitment for affordability is long-term (90 years) and there won't be a change of use. Residents are recertified by management annually and in most cases can stay in the property as their income increases. Section 8 vouchers will be accepted.
- xvi. **Q:** Anne Pringle – the vacancy rates that you presented seem low. Can we see the survey showing the vacancy rates?
A: We rely on reports that we have been given. We would be happy to show you the data we received.
- xvii. **Q:** Joseph Thompson – higher density projects put a strain on social services, police, fire, etc.
A: This project will pay city taxes. Police and fire departments will weigh in during the planning process.

xviii. **Q:** Sheryl McGinnis – there are not enough people in attendance. The main concern for the residents of Stratton Place is we don't want to lose green space.

A: This is definitely not the last meeting. There will be numerous opportunities for public comment. I encourage you to think creatively about what the community wants for green space so we can approach the city with potential ideas.

xix. **Q:** Nate Huckel-Bauer – where will the kids living at the property go to daycare? Will there be green space, and will it be open to the public?

A: We are also thinking about where the kids will play and want the property to be integrated within the community. We are investigating the possibility of a daycare within the building? We want to work with neighbors to create green space, but have to work within the constraints placed upon us.

xx. **Q:** Ellen Murphy – since there will only be minimal parking at the property, will there be a bus stop shelter and other transit amenities added near the property?

xxi. **Q:** Robert Theberge – has there been a preliminary study done on infrastructure to see if the city can handle the additional units? Note: Elm trees planted below CMP lines in the 4 foot space between the sidewalk and street is not a good idea.

Meeting was adjourned at 8:25pm.

Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

I also certify that on (date at least seven days prior to the neighborhood meeting), invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development or within 1000 feet of a proposed development in an industrial zone and the residents on the "interested parties" list.

Signed,



8/30/10 (date)

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes



Board Members

Joanne Campbell
Sr. Vice President
Camden National Corporation
Board President

Randy Blake
President
R Blake Real Estate Svcs, LLC
Board Treasurer

Aaron Shapiro
Community Development Director
Cumberland County
Board Secretary

Robert Baldacci
President
Baldacci Group

Peter Brown
Program Director
Strive University

dee Clarke
Advocate
Homeless Voices for Justice

Chris Danse
Contractor, Builder,
and Neighborhood Activist

Kendra Danse
Clinical Director
MaineStay

Gunnar Hubbard
President
Fore Solutions

David Lakari
President
Renewal Housing Associates, LLC

Jan McCormick
Vice President of Asset Mgmt.
Northern New England Housing
Investment Fund

Christine Ndayishimiye
Unit Helper, NICU
Maine Medical Center

Luc Nya
MaineCare Benefits Coordinator
for Children Under 21
Maine DHHS

Randy Poulton
Vice President
Nickerson and O'Day, Inc.

Staff Contacts

Cullen Ryan
Executive Director

Erin Cooperrider
Development Director

Todd Alexander
Development Manager

Brenda Perry
Development Officer

Jade Doyle
Development Coordinator

Jim Gwilym
Accountant/CFO

Kyra Walker
Asset Management Director

Lee Andrews
Asset Manager

Samira Bouzrara
Operations Assistant

August 10, 2010

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a redevelopment project at 66-68 High Street. Community Housing of Maine is planning to convert the former Children's Hospital building and site of the historic Mussey Mansion into 35 units of workforce housing.

Our vision for 66-68 High Street is to create a high-quality housing resource for the City of Portland that incorporates the best features of workforce housing, historic preservation, green design and smart growth principals. This will be an opportunity for you to participate in the design process and share your ideas with the development team.

Meeting Location: 66 – 68 High Street
Meeting Date: Thursday, August 19, 2010
Meeting Time: 6:30 p.m. – 8 p.m.

If you have any questions, please call me at 879-0347.

Sincerely,

Todd Alexander
Development Manager

Note:

Under Section 14-32© of the City Code of Ordinances, an application for a major development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Department of Planning and Development, Planning Division 4th Floor, 389 Congress Street, Portland, ME 04101 or by email to bab@portlandmaine.gov.

Memorandum
Department of Planning and Urban Development
Planning Division



TO: Chair Hall and Members of the Portland Planning Board

FROM: Shukria Wiar, Planner

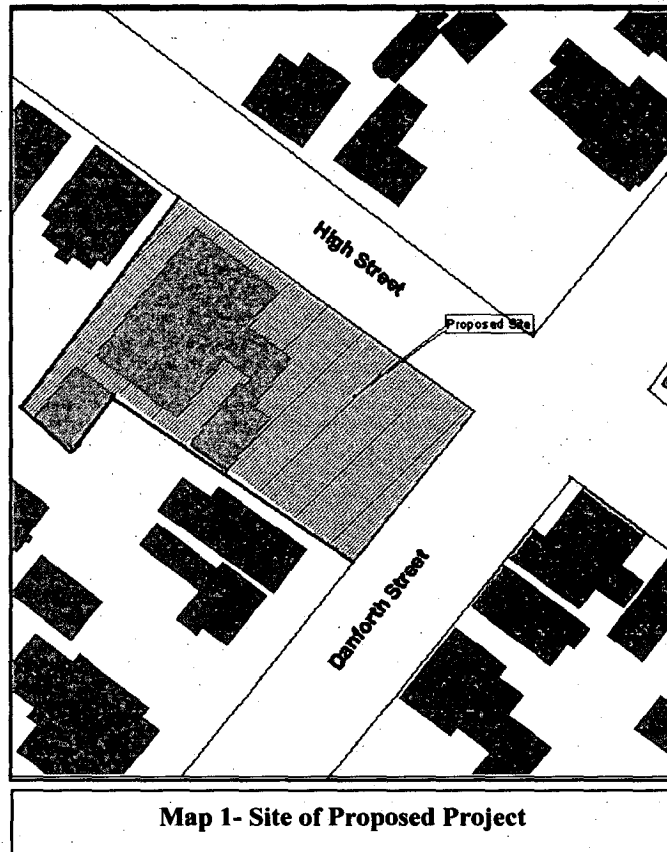
DATE: July 23, 2010

RE: **Planning Board Workshop for 66-68 High Street- Request for Zone Change
Community Housing of Maine (CHOM), Applicant
Erin Cooperrider, Agent**

I. INTRODUCTION

Community Housing of Maine (CHOM) is requesting a zoning map amendment to develop a parcel at 66-68 High Street (corner of High and Danforth Streets) consisting of approximately 23, 797 square feet (.539 acres) of land area. The proposed project is a multi-family residential development with thirty-five (35) units and fifteen (15) parking spaces. The property is located in the Residential R-6 zone.

CHOM is proposing the rezoning of the site from R-6 to an R-7 zone in order to increase the allowable density and lot coverage, and to reduce the required number of parking spaces. All of the residential units will be affordable. In summary, the infill project is designed to provide affordable housing, with a bedroom mix serving a variety of household sizes near the downtown. The location offers convenient access to schools, daycare, playgrounds, and employment opportunities, as well as public transportation, shopping, dining and recreational opportunities at this in-town location. The proposal does not meet the R-6 dimensional requirements for three specific standards: 1) density, 2) lot coverage, and 3) parking. Therefore the applicant is seeking a map amendment for the site from R-6 to R-7.



Map 1- Site of Proposed Project

The applicant's submission dated 02.22.2008 includes a revised site plan, floor plans, and proposed elevations (Attachment A-2 and A-4).

II. DEVELOPMENT FINDINGS

Site:	66-68 High Street
Tax Maps:	Tax Map 44, Block F, Lot 1
Land Area:	23,797 square feet
Existing Uses:	University of Southern Maine offices and classroom
Current Zoning:	Residential R-6 zone
Proposed Zoning:	Compact Residential R-7 zone
Total Units:	35 units
Housing Mix:	Units are 1, 2, and 3-bedrooms; all the units will be affordable housing.
Building Height:	The residential building addition will be three (3) stories above one level of parking. The building height shall meet the height standard of R-7
Lot Coverage:	52 %
Total Parking:	A total of 15 parking spaces; 14 spaces on the ground floor and one space at the street level on High Street
Parking Ratios:	Proposed: 0.42 spaces/unit (15 spaces for 35 dwelling units)
Density:	A density of 680 square feet of lot area per unit is proposed. Applicant can go up to 54 units (23,797/ 435)

III. DEVELOPMENT PLAN

A. General Overview

This report reviews the site plan, floor plans and elevations dated June 21, 2010 (Attachment A-4).

Community Housing of Maine has entered into a contract to purchase a parcel of land from University of Maine Systems consisting of approximately 23, 478 square feet located at 66-68 High Street, being a parcel shown on City of Portland Tax Map 44, Block F, Lot 1. There is a freestanding 3-story building with a total area of approximately 28,954 sq ft. The University of Maine System currently owns and occupies the property. The property has frontage on High Street and on Danforth Street, with an existing curb cut on High Street. The property is surrounded by multi-unit residential buildings, as well a businesses and daycares.

The Community Housing of Maine plans to renovate the main building, and construct an addition of roughly equal size with parking below grade. The addition will be located approximately where the original mansion stood. The site plan (Attachment A-4) shows

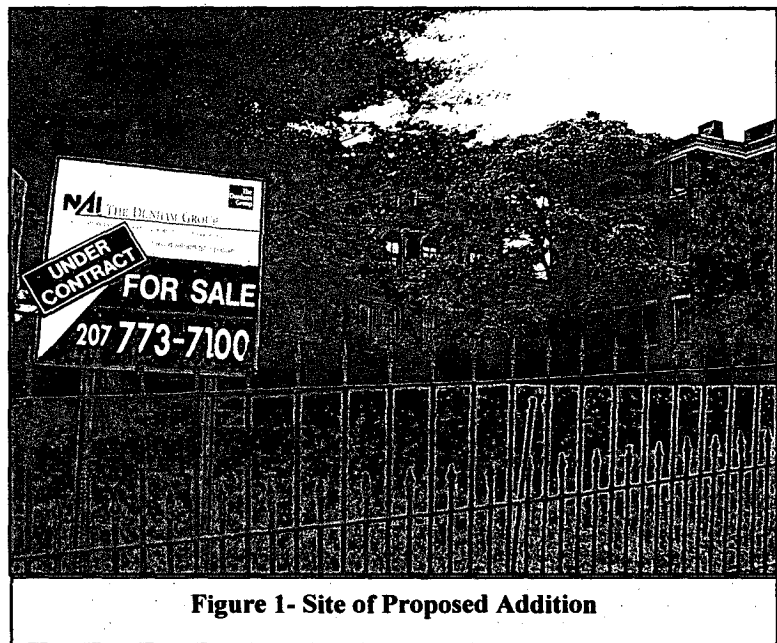


Figure 1- Site of Proposed Addition

a total of fifteen (15) parking spaces, eleven (11) under the addition, and four surface spaces, which includes two handicap spaces. The complex will contain twenty (20) 1-bedroom units, twelve (12) 2-bedroom units, and three 3-bedroom units for a total of 35 units. A community room, family play area, activity room, laundry facilities, and clustered post boxes will serve as meeting places for residents. Most of the community space will be located in a daylight basement beneath the existing building.

The property is located in one of the first historic districts created in the City of Portland, and the building, which was designed by Fredrick A. Thompson and constructed in 1909 as a children's hospital, is an important Colonial Revival building. The State Historic Preservation Commission has confirmed that the project is eligible for listing on the National Register of Historic Places and the National Park Service has approved a Part I application for Federal historic tax credits.

B. Building Design

Conceptual elevations are attached to this document. Building materials to be used should be durable and match the architectural fabric of the neighborhood. The street facades should be geometrically varied with the use of contrasting materials.

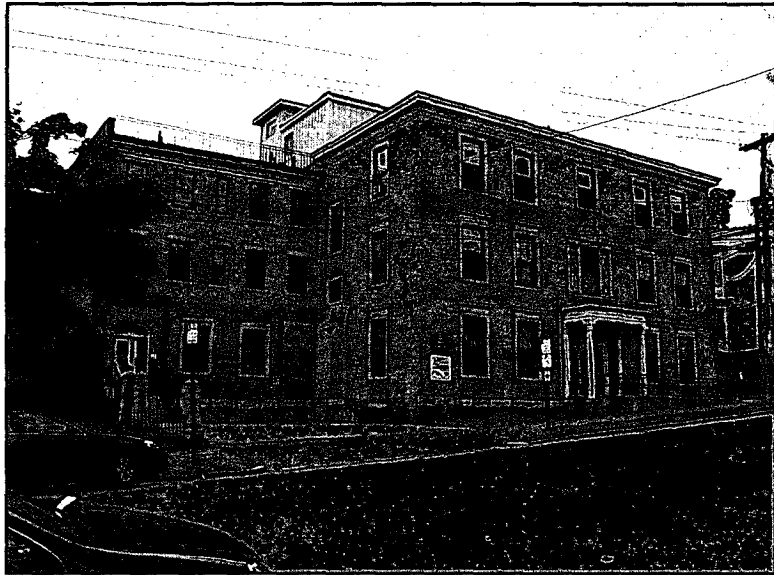


Figure 2- Existing Building Onsite

C. Parking

The R-6 parking requirement is one space per dwelling unit and the land use code does not require the reuse of an historic structure to provide more parking than is currently on-site.

The R-7 zone requires one space per dwelling, so a total of fifteen (15) is required for the new addition. IN addition, Incentives for Affordable Housing calls for one parking space per unit or allows the Planning Board to determine the final number of required parking spaces. The applicant is proposing to provide fifteen (15) on-site parking spaces as part of this project. Of these parking spaces, two will be handicap spaces.

IV. ZONING ANALYSIS

The chart below shows the zoning requirements for the R-6 and R-7 zones as well as the proposed project requirements. Copies of the R-6 and R-7 text are included as Attachment 4 and Attachment 5.

Dimension	Residential R-6	Residential R-7	Proposed Project
Minimum lot size	4500 sq ft	None	23,797 sq ft
Front yard setback	10 feet	None	15 feet
Rear yard setback	20 feet	5 feet	28 feet

Minimum Lot Width	50 feet	30 feet	200 feet
Side yard setback	For 3 stories... 10 feet.	5 feet	25 feet
Lot Coverage	Maximum forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units.	100%	52% building coverage with building and 76% proposed impervious surface coverage
Density	1200 sq ft/unit	435 sq ft/unit	23,797 square feet/number of units. 35 units = 680 sq ft Applicant can go up to 54 units (23,797/ 435)
Maximum Height	45 ft	50 ft	45' for the new addition
Parking Spaces/ Ratio	Off-street parking, For new construction, two (2) parking spaces for each dwelling unit, plus one (1) additional parking space for every six (6) units or fraction thereof. This proposal requires 93 off-street spaces.	1:1 ratio	15 parking spaces for addition ; a 1 to 1 ratio No parking spaces for the existing structure on site. Therefore the parking ratio is .43 to 1 ratio for the entire project
Open Space Ratio	Thirty (30) percent for those lots which contain twenty (20) or more dwelling units.	None required	
Street Frontage	Minimum forty (40) ft	None required	200

The proposed zoning map amendment for the property located at 66-68 High Street must be evaluated for consistency with the City's Comprehensive Plan. Relevant excerpts from the Comprehensive Plan are as follows:

A. Housing: Sustaining Portland's Future – Adopted November 18, 2002

“Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as school, businesses, institutions, employers, and public transportation.”

“Evaluate and update current zoning, as needed, to encourage higher density multi-family developments and mixed use projects that incorporate housing, particularly along major public transportation routes, near services areas, and in redevelopment or infill areas, where appropriate.”

“Encourage housing within and adjacent to the downtown. Evaluate and update current zoning and building codes, as needed, to facilitate new housing and redevelopment opportunities, including:

- * Condominiums;
- * Townhouses;
- * 2 to 4 unit buildings;
- * Live/work options; and
- * High-density multi-family housing.”

“Portland seeks to encourage construction of new housing units through land use regulations and financial incentives. Increasing Portland’s housing stock in developed urban areas of the city is challenging, but necessary for the long-term health of the city.”

“Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.”

“Adopt neighborhood design guidelines as part of Portland’s land use code for new housing and substantial rehabilitation that are compatible with the character and patterns of development found within each neighborhood.”

“Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.”

B. A Time of Change: Portland Transportation Plan – Adopted July 1993

“Provide maximum mobility in a balanced transportation system, which encompasses all modes, to support the economic vitality and quality of life of the Portland community.”

“Ensure future growth does not foster auto dependency.”

“Allow development along transit corridors and near community commercial centers to evolve at a density sufficient to make public transit, walking, and biking viable options.”

R-7 Zone Staff Analysis

As stated previously, the applicant is seeking a map amendment from R-6 to R-7 at 66-68 High Street to allow of thirty-five (35) units. The site area is approximately 23,797 sq. ft. The parcel is at the corner of High and Danforth Streets. The property is located on the peninsula and is within walking distance of downtown or other work places and shopping. The R-7 zone is a suitable underlying zone for this location, closely fitting the policies of the comprehensive plan and the purpose of the R-7 zone. The purpose of the R-7 zone is as follows:

The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.

Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively

impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood.

The Planning staff believes this site, currently a relatively large parcel in the R-6 with an office and classroom use, is a good candidate lot for the R-7 zone. The larger scale and density works reasonably well at this location, which traditional has large-scale buildings and fits with the variety of building types and scale on the street. The proposed zone change will provide increased density in an area near service such as businesses, institutions, employers and public transportation. It will also provide compact in-city living for renters. It is located near the downtown district and on the High Street METRO line that serves the downtown Portland district.

The Comprehensive Plan encourages development of infill residential projects with limited parking to promote walking to or utilizing public transportation to work, shopping, services and cultural opportunities.

V. STAFF REVIEW

CHOM is seeking a map amendment and has provided a conceptual plan for the development; the following is an analysis that indicated the proposal as depicted could be developed under the R-7 standards.

A. Site Plan and Subdivision

Tom Errico, City Traffic Consultant has reviewed the conceptual site plans and provides the following comments:

I would prefer to close the driveway on High Street as it only serves one parking space, so some documentation on need will be important. There will likely be a need for several waivers as it relates to driveway width, parking aisle width, and parking stall dimensions. Waivers from these technical standards are likely. Parking supply is reasonable as one space per unit is proposed for the new addition where 15 units will be constructed, although if the High Street driveway is eliminated, the ratio will decrease slightly. No parking will be provided for the renovated section of the project and as such parking impacts will be an issue that will need to be addressed by the applicant.

The Planning staff requests that a detailed parking layout plan, with building columns, to be provided to assess on-site conditions during the subdivision and site plan review.

The City has been requesting contributions for future planned improvements at the Commercial Street/High Street intersection. A contribution amount will be recommended by Mr. Errico during the subdivision and site plan review.

B. Landscaping

As part of the subdivision review, there will be a requirement of one street tree per unit. For this proposal of thirty-five (35) units, a total of thirty-five (35) trees would be required. The applicant will be required to make a financial contribution of the trees (\$200 per street tree) to the City's Residential Tree Fund for any trees that cannot be accommodated on-site.

VI. Next Steps

1. Address any additional information requested by the Planning Board.
2. Hold a Neighborhood Meeting at least 7 days before a Public Hearing.

Attachments

Planning Board Report Attachments

1. Tom Errico memorandum, 06.28.2010
2. Marge Schmuckal memorandum, 06.24.2010
3. David Margolis-Pineo memorandum, 07.08.2010
4. R-6 Zoning Standards
5. R-7 Zoning Standards

Attachment A: Excerpts of Revised Material, 06.18.2010

- A-1 Application
- A-2 Cover Memorandum from Applicant
- A-3 Option to Purchase Agreement
- A-4 Site Plan

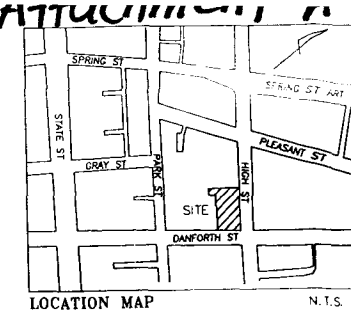
GENERAL NOTES:

1. SITE AREA: 23,797 SF OR 0.54 ACRES
2. APPLICANT: CHOM CHILDREN'S HOSPITAL HOUSING PARTNERS, LP
309 CUMBERLAND AVENUE
PORTLAND, MAINE 04101
3. OWNER: UNIVERSITY OF SOUTHERN MAINE
PORTLAND, MAINE 04103
4. ZONING DISTRICT: EXISTING: RG- RESIDENTIAL DISTRICT
PROPOSED: R7- COMPACT URBAN RESIDENTIAL OVERLAY
5. SPACE AND BULK STANDARDS:

	REQUIRED RG ZONE	REQUIRED R7 OVERLAY ZONE	PROPOSED
MINIMUM LOT SIZE:	4,500	NONE	23,797 SF
MINIMUM STREET FRONTAGE:	40 FEET	NONE	200 FEET
FRONT YARD SETBACK:	10 FEET	NONE	15 FEET
REAR YARD SETBACK:	20 FEET	5 FEET	28 FEET
SIDE YARD SETBACK:	10 FEET	5 FEET	25 FEET
MAXIMUM LOT COVERAGE:	40%	100%	52 %
MINIMUM LOT WIDTH:	50 FEET	30 FEET	200 FEET
MAXIMUM HEIGHT OF STRUCTURES:	45 FEET	50 FEET	45 FEET
MAXIMUM RESIDENTIAL DENSITY:	1,200 SF/UNT	435 SF/UNT	
6. OFF-STREET PARKING REQUIREMENTS:

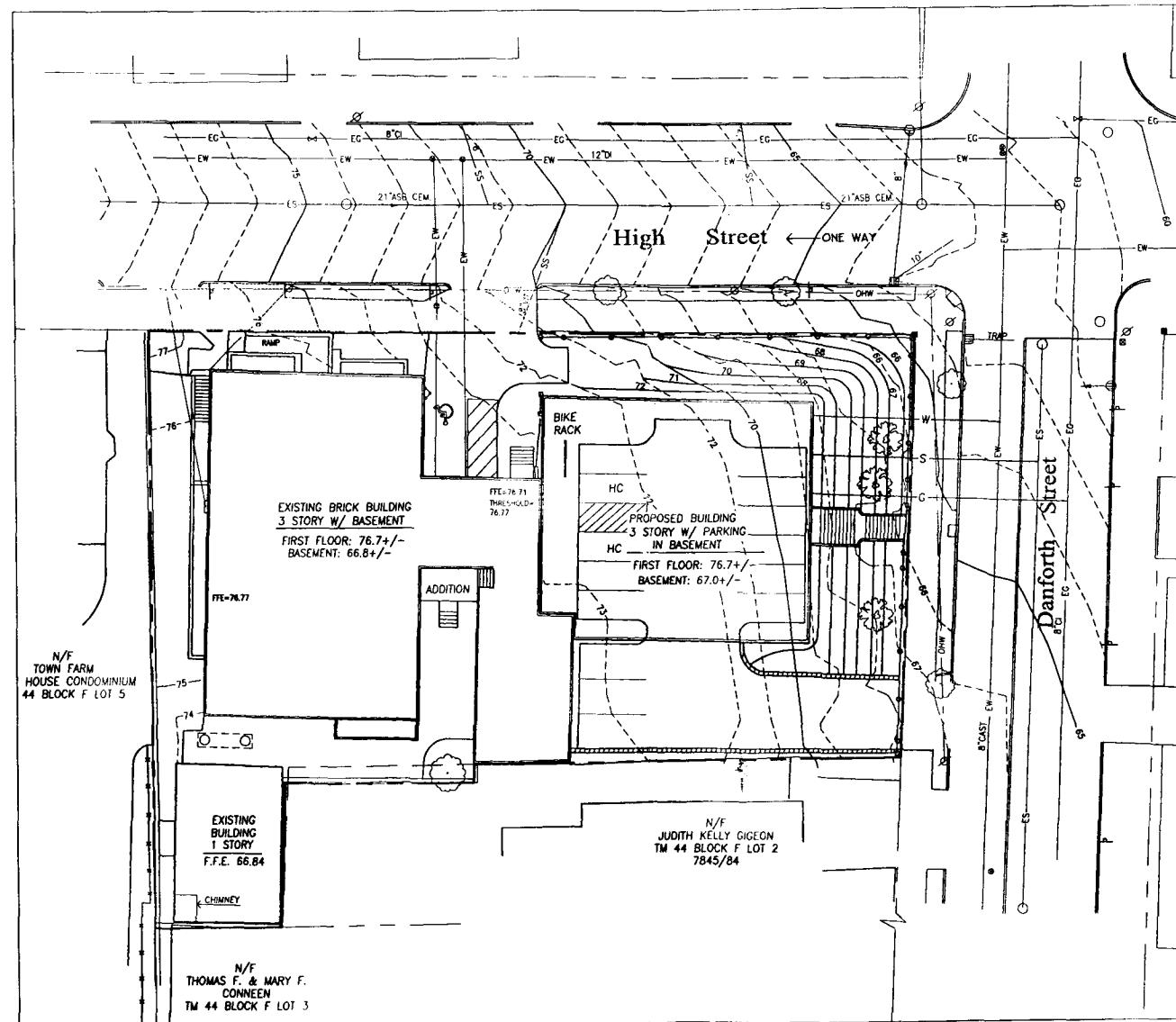
REQUIRED:	RESIDENTIAL-ONE (1) SPACE/DWELLING UNIT. 15 (15 NEW DWELLING UNITS)
PROPOSED:	15 VEHICLE PARKING SPACES (INCLUDING 3 HANDICAP ACCESSIBLE SPACES)
7. BICYCLE PARKING:

REQUIRED:	2 SPACES/5 DWELLING UNITS
PROPOSED:	6 SPACES (15 NEW DWELLING UNITS) 6 SPACES (ON SITE)
8. EXISTING IMPERVIOUS: 11,815 SF (50% OF SITE)
PROPOSED IMPERVIOUS: 18,150 SF (76% OF SITE)
9. ALL WORK WITHIN THE STREET RIGHT-OF-WAY SHALL MEET THE CITY OF PORTLAND STANDARDS.



Prepared For:
Applicant:
CHOM, Children's Hospital
Housing Partners, LP
309 Cumberland Avenue
Suite 203
Portland, Maine 04101

Prepared By:
MITCHELL & ASSOCIATES
Landscape Architects
The Staples School
70 Center Street
Portland, Maine 04101
Tel: (207) 774-4427



Children's Hospital Apartments
Portland, Maine
56-70 High Street

Date: JUNE 21, 2010

Issued For: ZONING MAP AMENDMENT

Revisions:

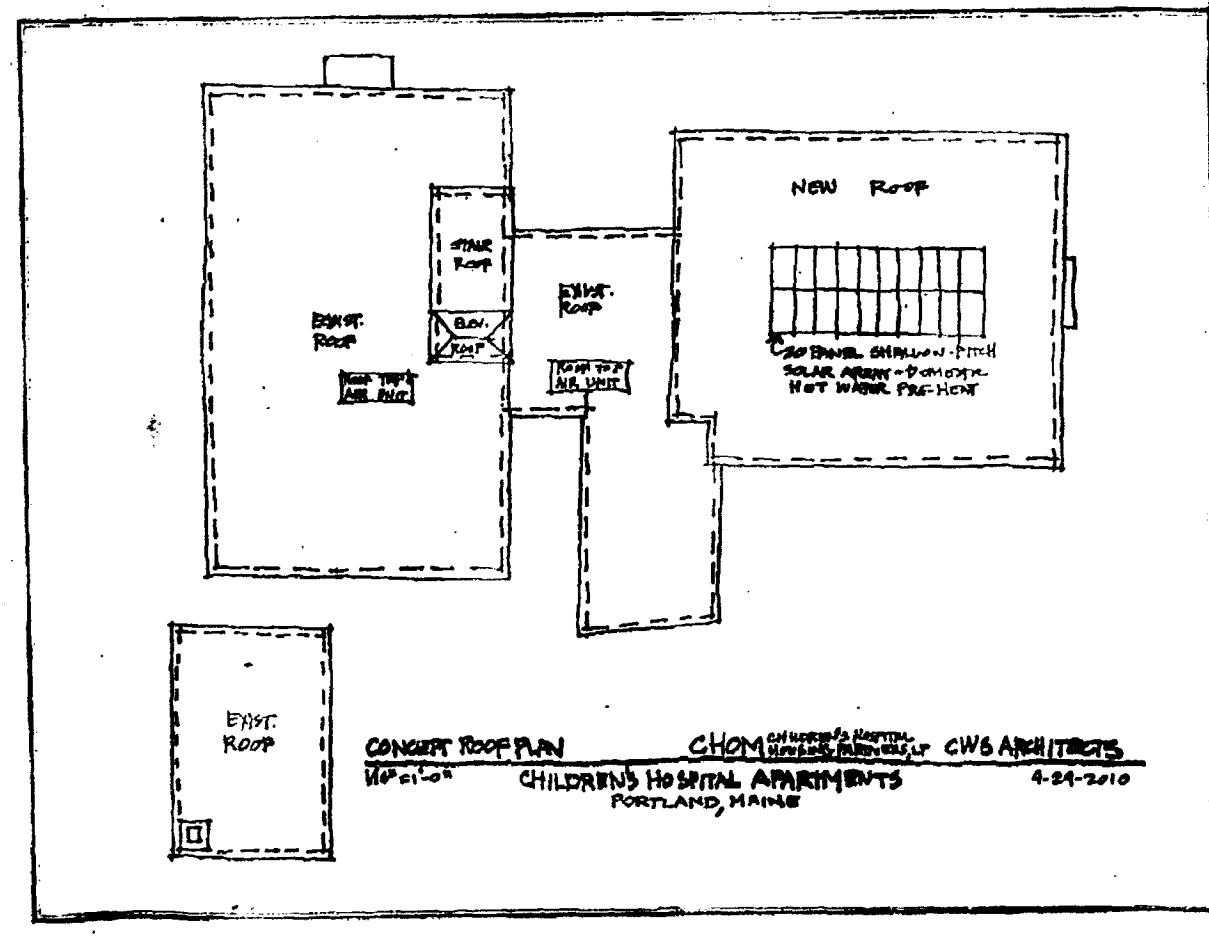
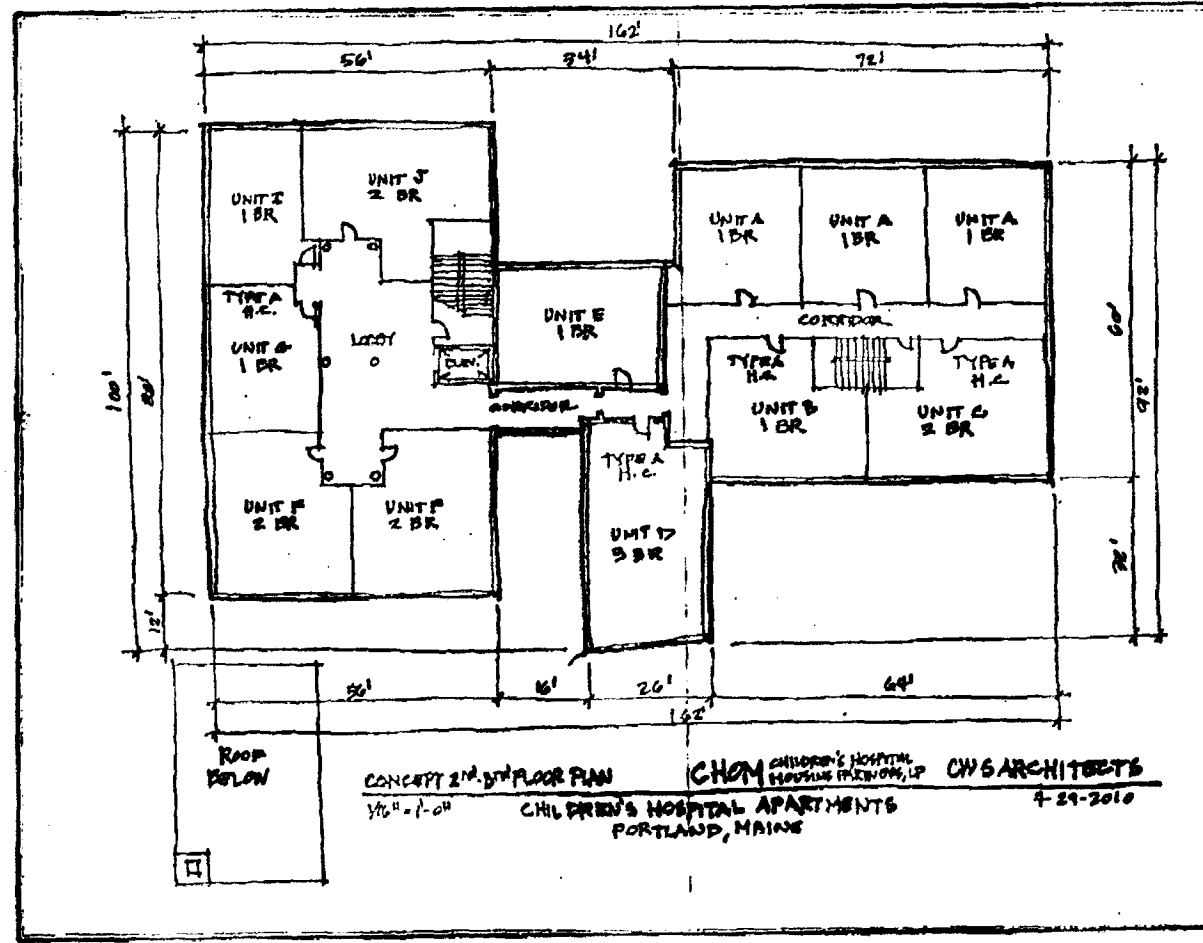
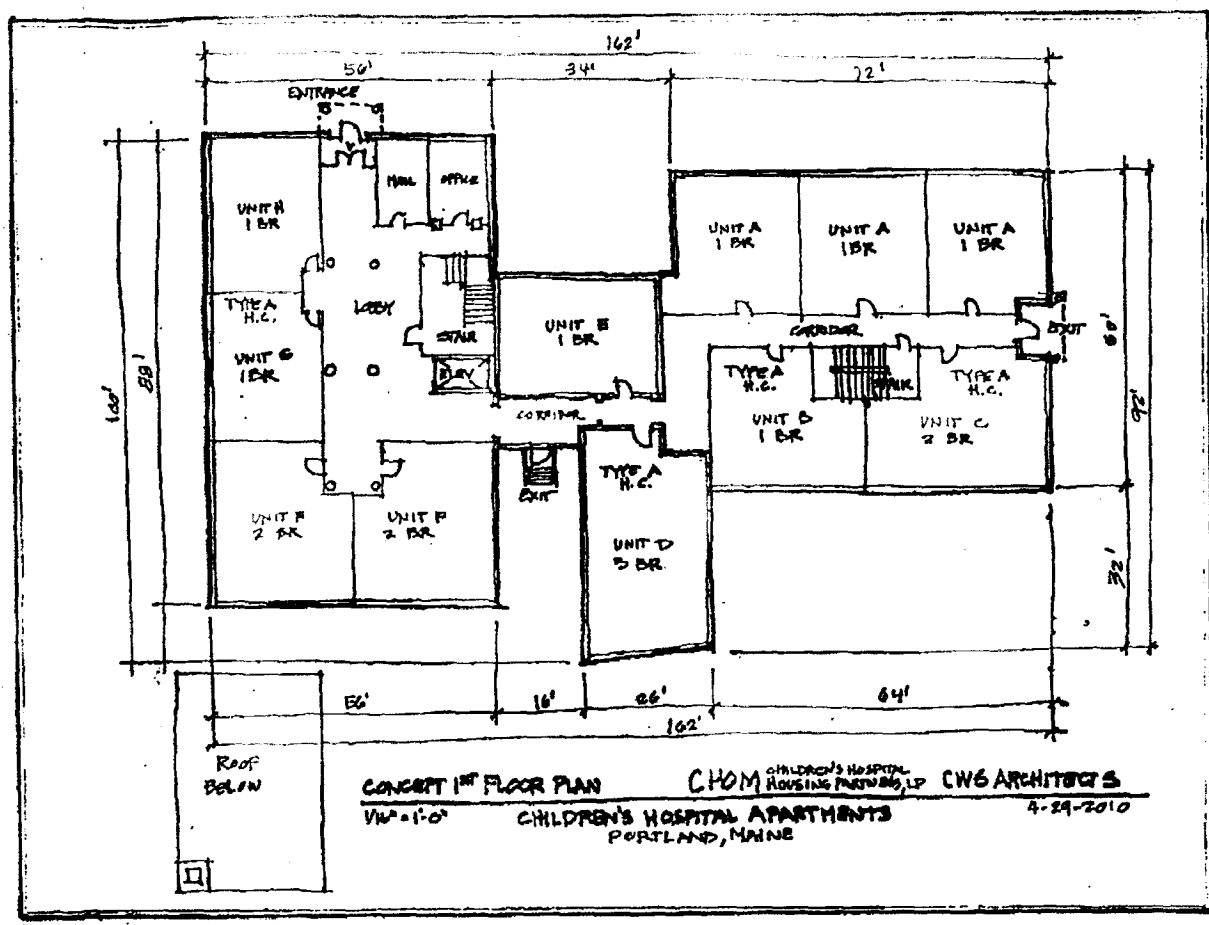
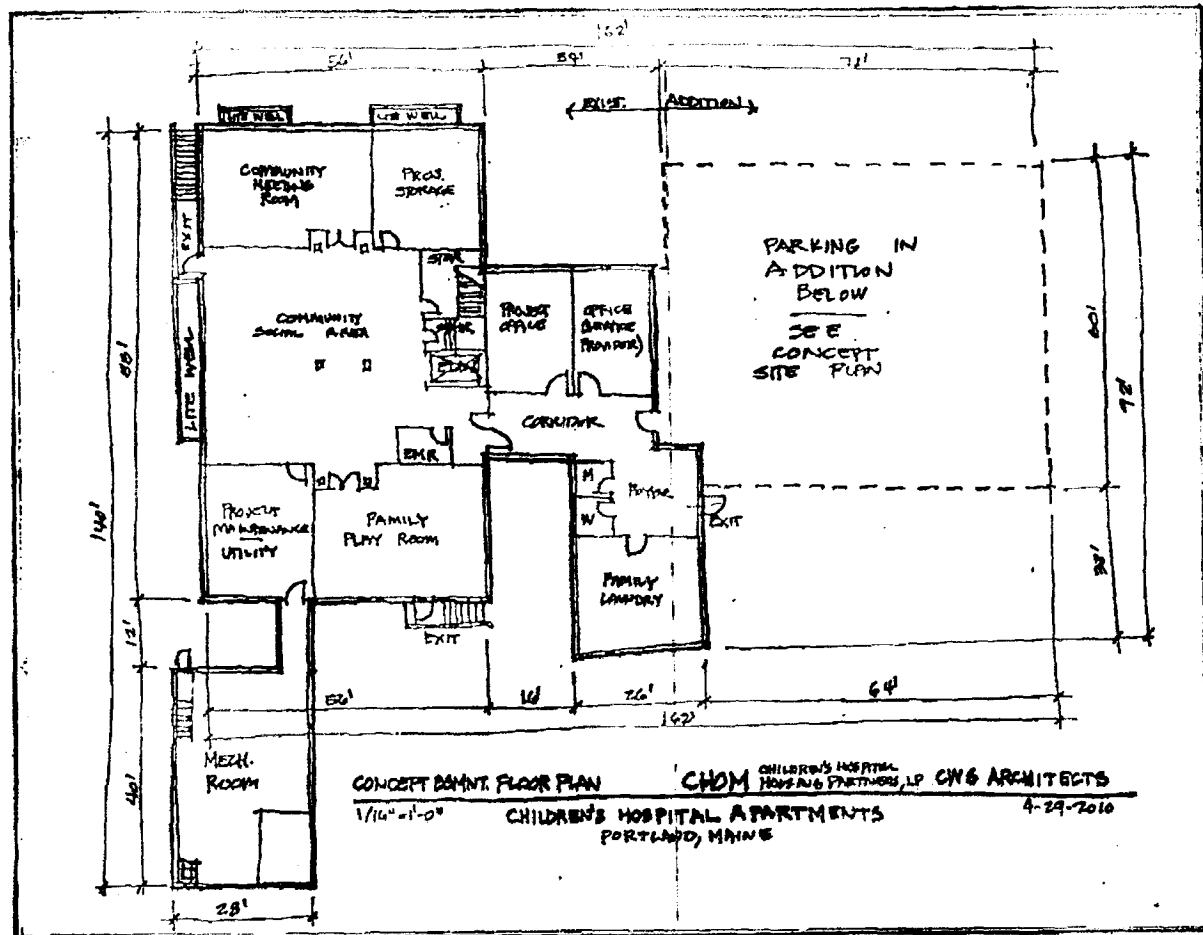
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Title: SCHEMATIC PLAN

Scale: 1"=20'

North:

Sheet No.: 1



CWS Architects
 Architects
 Space Planning
 Value Design

434 Cumberland Avenue
 Portland, ME 04103
 Phone: (207)774-4444
 Fax: (207)774-4444
 www.CWSArch.com

Client:
CHOM Children's Hospital Housing Partners, LP
 200 Cumberland Ave.
 Suite 203
 Portland, Maine 04101

Drawn:

Children's Hospital Apartments
 Portland, Maine

Project No: 104-10

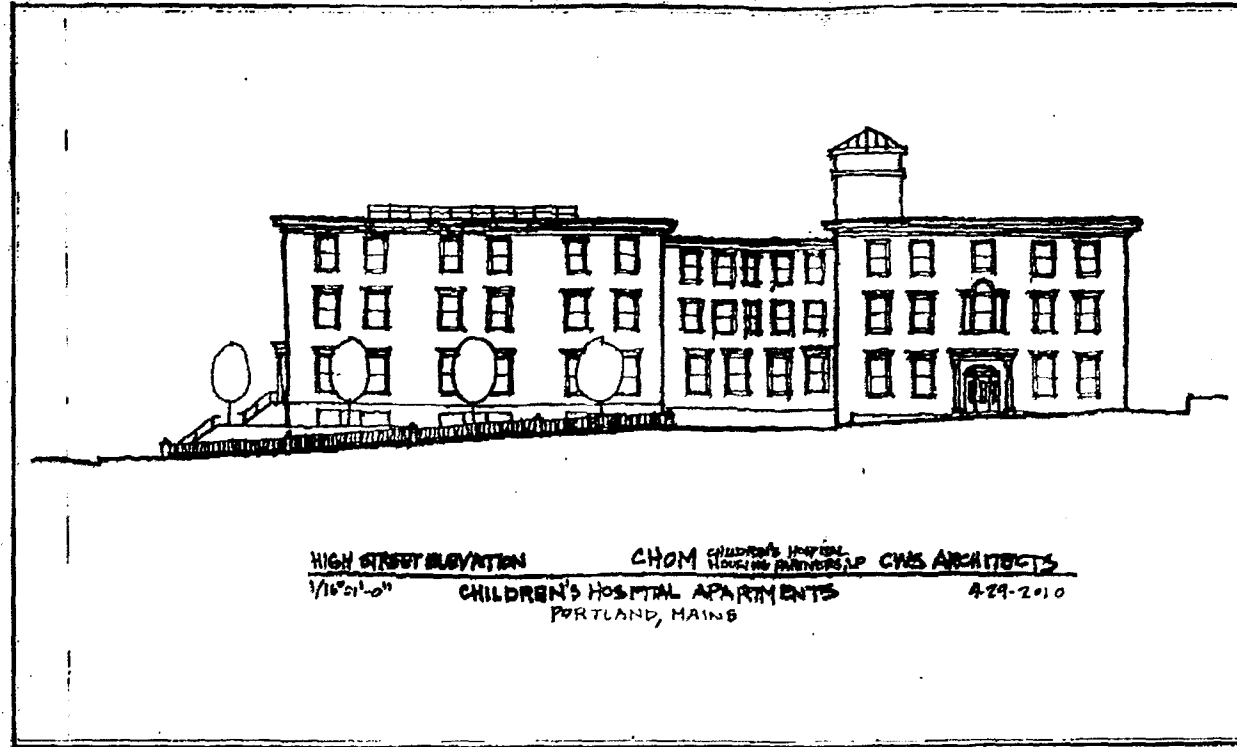
Working Title:

Scale: AS NOTED
 Date: Jan 21, 2009

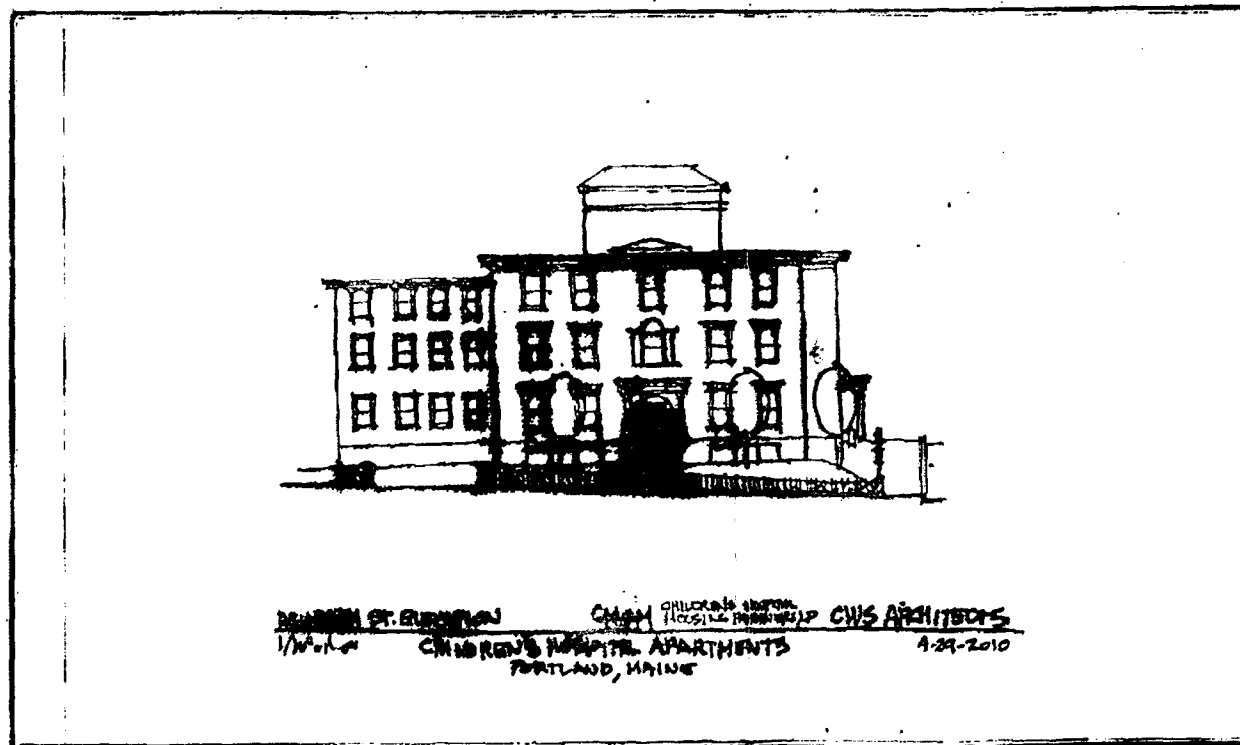
Revisions:

- ▲
- ▲
- ▲
- ▲
- ▲
- ▲

Working Station:



HIGH STREET ELEVATION CHOM CHILDREN'S HOSPITAL HOUSING PARTNERS LP CWS ARCHITECTS
 1/16"=1'-0" CHILDREN'S HOSPITAL APARTMENTS 4-29-2010
 PORTLAND, MAINE



DRUNKEN ST. ELEVATION CHOM CHILDREN'S HOSPITAL HOUSING PARTNERS LP CWS ARCHITECTS
 1/16"=1'-0" CHILDREN'S HOSPITAL APARTMENTS 4-29-2010
 PORTLAND, MAINE



CWS
 Architects

- Architecture
- Space Planning
- Value Design

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 Portland, ME 04101
 Phone: (207)774-8443
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 www.CWSarch.com

Draw
 CHOM Children's
 Hospital Housing
 Partners, LP
 350 Cumberland Ave.
 Suite 200
 Portland, ME 04101

Detail

Children's Hospital
 Apartments

Partial View

Project No. 0888

Drawing Title

Scale AS NOTED
 Date Jan 21, 2010

- Revisions
- △
 - △
 - △
 - △
 - △
 - △

Drawing Number

0

Shukria Wiar - 66-68 High Street

From: Thomas Errico <Thomas.Errico@tylin.com>
To: Shukria Wiar <SHUKRIAW@portlandmaine.gov>
Date: 6/28/2010 4:40 PM
Subject: 66-68 High Street
CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@port...

Shukria – I have reviewed the site plan and generally find it to be acceptable. I would prefer to close the driveway on High Street as it only serves one parking space, so some documentation on need will be important. There will likely be a need for several waivers as it relates to driveway width, parking aisle width, and parking stall dimensions. Waivers from these technical standards are likely. Parking supply is reasonable as one space per unit is proposed for the new addition where 15 units will be constructed, although if the High Street driveway is eliminated, the ratio will decrease slightly. No parking will be provided for the renovated section of the project and as such parking impacts will be an issue that will need to be addressed by the applicant.

If you have any questions or need additional input, please contact me.

Best regards,

Thomas A. Errico, P.E.
TYLIN INTERNATIONAL

12 Northbrook Drive
Building A, Suite One
Falmouth, ME 04105

207.347.4354 (Direct)
207.781.4721 (Main)
207.781.4753 (Fax)
207.400.0719 (Mobile)

**ZONING ADMINISTRATOR
MARGE SCHMUCKAL**

June 24, 2010

This application to apply for an R-7 Overlay Zone on the current R-6 Zone (also within a Historic District) is the first step in the development of the lot. Ultimately the applicant Community Housing of Maine wants to change the use of the existing building which is now used for USM offices and some class rooms. The new use for the existing building is proposed to be for residential dwelling units. An addition to the existing building will also be part of the future proposal. The total number of dwelling units is to be 35.

The first step forward on this project is to get an R-7 Overlay Zone on the property. The zoning change is needed for the density needs of the project and I believe for lot coverage requirements.

After gaining the Overlay Zone, the applicant will need to apply for a subdivision and site plan review.

Attachment 3

July 8, 2010

To: Shukria Wiar
Barbara Barhydt
From: David Margolis-Pineo
Re: Review Comments – Public Services
66-68 High Street

The Department of Public Services has no comments on the request for a zoning amendment.

The applicant should be prepared to address the following issue when submitting plans for site plan review.

1. Supply detail information on utility locations with details.
2. Show site drainage. Sheet flow to the street including roof water is desirable.
3. Consider request to close the curb cut on High Street.
4. The sidewalks and curbing are currently in good repair.

Public Services have no comments at this time.

City of Portland
Code of Ordinances
Sec. 14-130

Land Use
Chapter 14
Rev.7-21-10

***Editor's note**--Ord. No. 84-88, § 4, adopted July 19, 1988, amended § 14-130 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 84-88.

Sec. 14-131. Other requirements.

[Other requirements are as follows:]

- (a) *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
- (b) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.
- (c) *Storage of vehicles:* Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.

(Ord. No. 537-84, 5-7-84; Ord. No. 15-92, § 10, 6-15-92)

Sec. 14-132. Reserved.
Sec. 14-133. Reserved.
Sec. 14-134. Reserved.

DIVISION 7. R-6 RESIDENTIAL ZONE*

***Editor's note**--Ord. No. 538-84, adopted May 7, 1984, repealed Div. 7, §§ 14-131--14-134, and enacted a new Div. 9, §§ 14-135--14-139, 14-145. However, in order to avoid duplication of division numbers and in consultation with the city, the provision has been included as Div. 7.

Sec. 14-135. Purpose.

The purpose of the R-6 residential zone is:

- (a) To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and

external impacts of professional offices and other nonresidential uses.

(b) In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.

(Ord. No. 538-84, 5-7-84; Ord. No. 78-03/04, 10-20-03)

Sec. 14-136. Permitted uses.

The following uses are permitted in the R-6 residential zone:

(a) *Residential:*

1. Single- and two-family dwellings. No building reviewed as a two-family dwelling in accordance with section 14-524 shall be altered to include any additional dwelling unit within five (5) years from the date of issuance of the building permit. Any building reviewed as a two-family dwelling in accordance with section 14-524 or not reviewed under article V, which is altered or enlarged to include any additional dwelling unit after this five-year period, shall be reviewed as a major development pursuant to article V of this chapter.
2. Multifamily dwellings, provided that any alteration of a structure in residential use on December 2, 1987:
 - a. Shall not result in the creation of any additional dwelling unit of less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic; and
 - b. Shall not result in any existing dwelling unit being reduced in size to less than one thousand (1,000) square feet of floor area, exclusive of common areas and storage in basement and attic;
 - c. Parking shall be provided as required by division 20 of this article;

- d. No open outside stairways or fire escapes above the ground floor shall be constructed;
 - e. A below-grade dwelling unit shall be permitted only if access is provided directly to the outside of the building;
 - f. Such development shall be subject to article V (site plan) of this chapter for site plan review and approval.
3. Handicapped family unit, as defined in section 14-47 (definitions) of this article, for handicapped persons plus staff.
 4. Single-family, multiple-component manufactured housing, as defined in section 14-47 (definitions) of this article, except in a National Register Historic District.
 5. Single-family, single-component manufactured housing, as defined in section 14-47 (definitions) of this article, on individual lots under separate and distinct ownership, except in a National Register Historic District, provided that each unit meets the performance standards listed below:
 - a. More than half of the roof area of each unit shall be a double pitched Class C rated shingled roof with a minimum pitch of 3/12.
 - b. Each unit shall be installed on a full foundation or a concrete frost wall in accordance with all applicable codes and regulations. Any hitch or tow bar shall be removed from the unit after it is placed on its foundation or frost wall. In the case of a frost wall, vermin proof skirting shall be installed on all sides of the unit. The skirting may consist of either (a) concrete or masonry block or (b) manufactured skirting. If concrete or masonry block skirting is installed, either the exterior siding of the unit shall extend within one (1) foot of grade

or decorative masonry siding shall be applied. If manufactured skirting material is installed, the color shall be identical to or compatible with the exterior siding of the unit.

- c. Each unit shall have exterior siding that is residential in appearance, including but not limited to natural materials such as wood clapboards or shakes, or exterior materials which simulate wood. Clapboards or simulated clapboards shall have less than eight (8) inches of exposure and sheet metal type siding shall not be permitted.
- d. Each unit shall have the long side of the unit parallel to the street line where the required street frontage is met.
- e. Each unit shall be provided with at least two (2) trees meeting the city's arboricultural specifications and which are clearly visible from the street line and are located so as to visually widen the narrow dimension or proportion of the unit.
- f. Each unit shall have all fuel oil supply systems constructed and installed within the foundation wall or underground in accordance with all applicable codes and regulations.
- g. No unit shall be horizontally or vertically attached to any other unit or other structure, provided however, that this provision shall not be deemed to prohibit building additions, such as porches, garages, room additions or solar greenhouses.

(b) *Other:*

- 1. Lodging house;
- 2. Cemeteries;
- 3. Parks, and other active and passive noncommercial

recreation spaces;

4. Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory use) of this article;
5. Home occupation subject to the provisions of section 14-410 (home occupation) of this article;
6. Municipal uses, excluding those specifically set forth in section 14-137 of this division;
7. Special needs independent living units, provided that a building housing special needs independent living units shall not house other types of residential or other permitted uses. The owner of a special needs independent living unit building shall file in the Cumberland County Registry of Deeds a statement under oath that the building is a special needs independent living unit building and that any future change of use to a permitted residential use shall require a change in use review by the City of Portland and a decrease in the number of units in the building in accordance with the Portland City Code, chapter 14. The owner shall file proof of such recording with the building inspections division prior to the issuance of any certificates of occupancy for the new uses.
8. Conversion of a structure existing on March 3, 1997, into a bed and breakfast with up to four (4) guest rooms, subject to the standards of article V (site plan).

(Ord. No. 538-84, 5-7-84; Ord. No. 267-84, § 1, 12-17-84; Ord. No. 67-87, § 4, 11-2-87; Ord. No. 85-88, §§ 1, 2, 7-19-88; Ord. No. 86A-89, § 7, 8-21-89; Ord. No. 95-89, § 2, 9-6-89; Ord. No. 279-90, § 2, 3-19-90; Ord. No. 33-91, § 8, 1-23-91; Ord. No. 33A-91, § 6, 4-17-91; Ord. No. 125-97, § 2, 3-3-97)

***Editor's note**--Ord. No. 85-88, §§ 1, 2, adopted July 19, 1988, amended § 14-136 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88. Ord. No. 95-89, § 2, adopted Sept. 6, 1989, amended subsection (1)a of § 14-136 to read as set out and, as amended, further ordained "that the prohibition upon unit additions contained in this ordinance shall not apply where a building permit has been

issued. Additions proposed to such buildings shall require major site plan review and all other reviews required by this chapter."

Sec. 14-137. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(a) *Residential:*

1. Reserved.
2. Sheltered care group homes, as defined in section 14-47 of this article, for up to twelve (12) individuals, plus staff, and serving a primary population which is not handicapped persons, parolees, persons involved in correctional prerelease programs, or current illegal drug users, provided that:
 - a. A sheltered care group home shall not be located within five hundred (500) feet of another, as measured along street lines to the respective property lines.
 - b. There shall be no open outside stairways or fire escapes above the ground floor.
 - c. The facility shall make provision for adequate on-site staffing and supervision of residents in accordance with applicable state licensing requirements. If a facility is not licensed by the state, there shall be a minimum of one (1) staff person for every ten (10) residents or fraction thereof.

The board of appeals may impose conditions upon a conditional use permit concerning the creation or operation of a sheltered care group home including but not limited to the following: site and building maintenance; lighting, fencing, and other appropriate security measures; screening and

buffering of parking areas; compatibility of any additions or alterations with the existing residential structure; compatibility of new structures with the architectural character of the surrounding area; and limitation on the duration of the sheltered care group home permit.

3. Conversion of a structure existing on March 3, 1997, into a bed and breakfast with five (5) to nine (9) guest rooms.

(b) *Institutional*: Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

1. Elementary, middle, and secondary school;
2. a. Long-term and extended care facilities;
b. Intermediate care facility for thirteen (13) or more persons;
3. Intermediate care facility;
4. Places of assembly;
5. Hospital;
6. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

- a. In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and

- b. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; and
- c. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative; and
- d. In the case of places of assembly (including places of religious assembly, community halls and private club or fraternal organizations), the proposed use shall be subject to the requirements of article V (site plan) of this chapter; and
- e. In the case of community halls:
 - i. The structure was in existence as of January 4, 2010.
 - ii. The structure was built for institutional or other non-residential uses;
 - iii. The structure is operated by, or operated subject to the control of, a not-for-profit entity in accordance with its not-for-profit purposes; and
 - iv. A parking management plan is submitted for review and approval by the planning board; and
- f. In the case of private club or fraternal organizations: any such establishment serving alcoholic beverages or in possession of a license for serving alcoholic beverages shall be located on a large lot, as specified in the minimum lot size provisions of this section.

(c) *Other:*

1. Utility substations, such as water and sewage pumping stations and standpipes, electric power substations, transformer stations, and telephone electronic equipment enclosures and other similar structures, provided that such uses are suitably screened and landscaped so as to ensure compatibility with the surrounding neighborhood;
2. Professional offices of a member of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians.

The illustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent.

Professional office uses shall meet the following standards in addition to provisions of section 14-474, except that subsections a., b., c. and d. of this section 14-137(c)2 shall not apply to the use of any building not designed or constructed for residential use, which was not in actual use as a residence on April 18, 1984, or thereafter.

- a. A professional office shall not be located within five hundred (500) feet of another as measured along the street line to the respective property lines.
- b. A building with one (1) or more professional offices shall have at least fifty (50) percent of the total floor area of the building devoted to residential uses.
- c. The total number of individuals working in a building of professional offices shall not exceed the equivalent of four (4) full-time employees.
- d. Any additions or exterior alterations shall be

compatible with the architecture of the building and maintain the residential appearance of the building. Construction of a new building shall be compatible with the architectural character of the surrounding area.

- e. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.
 - f. Off-street parking is required as provided in division 20 (off-street parking) of this article.
- 3. Chancellery.
 - 4. Nursery school and kindergarten.
 - 5. Off-street parking for passenger cars for uses permitted in the R-6 zone.
 - 6. Day care facilities or home babysitting services not permitted as a home occupation under section 14-410, subject to the following conditions:
 - a. The facility shall be located in a structure in which there is one (1) or more occupied residential units or in an existing accessory structure, unless the facility is located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use or in a nonresidential structure accessory to the principal nonresidential use.
 - b. The maximum capacity shall be twelve (12) children for facilities located in residential or existing structures accessory thereto, unless the additional standards in subsection v. are met. There shall be no maximum limit on

the number of children in a facility located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use, or in a nonresidential structure accessory thereto, provided that any such structure that serves more than twelve (12) children shall be subject to review under article V of this chapter.

- c. Outdoor play areas shall be screened and buffered from surrounding residences with landscaping and/or fencing to minimize visual and noise impacts.
- d. Solid waste shall be stored in covered containers. Such containers shall be screened on all four (4) sides.
- e. Day care facilities, nursery schools and kindergartens located either in structures that have been in residential use within the past five (5) years or in existing accessory structures and that serve between thirteen (13) and twenty-four (24) children shall meet the following additional standards:
 - i. The facility shall provide a minimum of seventy-five (75) square feet of outdoor play area per child;
 - ii. The play area shall be located in the side and rear yards only and shall not be located in front yards;
 - iii. Outside play areas shall be separated from abutting properties by a fence at least forty-eight (48) inches in height;
 - iv. A ten-foot wide landscaped buffer shall be required outside of the fenced play area, and shall be established in accordance with the landscaping standards of the City's Technical Standards and

Guidelines;

- v. The minimum lot size for a day care facility located in a residential or existing accessory structure and serving more than twelve (12) children shall be twenty thousand (20,000) square feet;
 - vi. *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
 - vii. The maximum number of children in a day care facility located in a residential or existing accessory structure shall be twenty-four (24); and
 - viii. Any additions or exterior alterations such as facade materials, building form, roof pitch, and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the residential appearance of the building.
7. Community Center, as defined in Section 14-17.
8. Temporary wind anemometer towers, as defined in Sec 14-47, are permitted provided the following standards are met in addition to Sec 14-430:
- a. Towers may be installed for the purpose of wind data collection for no more than two (2) years after the issuance of a Certificate of Occupancy for the tower. At the conclusion of the aforementioned two (2) years, the tower must be dismantled and removed from the site within sixty (60) days; and
 - b. Towers shall be constructed according to plans and specifications stamped by a licensed professional engineer, which shall be provided to the Board of Appeals

with the application; and

- c. Towers shall be set back from habitable buildings by a distance equal to 1.1 times the tower height; and
- d. The applicant shall provide a safety report prepared and stamped by a licensed professional engineer to the Board of Appeals with their application for conditional use, which demonstrates how the proposed temporary wind anemometer tower is safe in terms of strength, stability, security, grounding, icing impacts and maintenance; and
- e. The applicant shall provide evidence of commercial general liability insurance, such insurance to be satisfactory to Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the temporary wind anemometer tower; and
- f. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and
- g. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related meteorological data, but shall not be used for any other purpose; and
- h. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the

facility at the end of the use period.

(Ord. No. 538-84, 5-7-84; Ord. No. 267-84, § 2, 12-17-84; Ord. No. 76-85, § 8, 7-1-85; Ord. No. 85-88, § 3, 7-19-88; Ord. No. 235-91, § 13, 2-4-91; Ord. No. 118-93, § 11, 10-18-93; Ord. No. 133-96, § 7, 11-18-96; ; Ord. No. 154-96, § 11, 12-16-96; Ord. No. 125-97, § 3, 3-3-97; Ord. No. 232-99, §2, 3-15-99; Ord. No. 77-02/03, § 2, 10-21-02; Ord. No. 29-09/10, 8-3-09 emergency passage; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 240-09/10, 6-21-10)

Sec. 14-138. Prohibited uses.

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

(Ord. No. 538-84, 5-7-84)

Sec. 14-139. Dimensional requirements.

(1) In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the R-6 zone shall meet or exceed the following minimum requirements:

(a) *Minimum lot size:*

1. Residential: Forty-five hundred (4,500) square feet, except as provided for lots of record in section 14-433 (lots of record and accessory structure setbacks for existing buildings) of this article.
2. Reserved.
3. Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.
4. Intermediate care facility: One (1) acre.
5. School: Thirty thousand (30,000) square feet.
6. Places of assembly;

Large	30,000 sq. ft.
Medium	15,000 sq. ft.
Small	7,500 sq. ft.

7. Municipal use: Forty-five hundred (4,500) square feet.
 8. Hospital: Two (2) acres.
 9. All other uses: Forty-five hundred (4,500) square feet.
 10. Lodging house: Four thousand five hundred (4,500) square feet.
- (b)
1. *Minimum area per dwelling unit:* One thousand (1,000) square feet per dwelling unit; and in the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units. This requirement may be reduced by up to twenty (20) percent for a special needs independent living unit.
 2. *Minimum rooming unit areas for lodging houses:* Two hundred (200) square feet of combined rooming unit and common area for each rooming unit. Each individual rooming unit shall be a minimum of eighty (80) square feet.
 3. *Minimum land area per lodging house rooming unit:* Two hundred fifty (250) square feet.
 4. *Minimum land area per intermediate care facility resident:* Eight thousand (8,000) square feet for the first thirty-five (35) residents, plus three hundred fifty (350) square feet for each additional resident.
- (c) *Minimum street frontage:* Forty (40) feet.
- (d) *Minimum yard dimensions:* (Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)
1. *Front yard:*

Principal or accessory structures: Ten (10) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.

2. *Rear yard:*

- a. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.
- b. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.
- c. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

3. *Side yard:*

- a. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet:

<i>Height of Structure</i>	<i>Required Side Yard</i>
1 story	10 feet
2 stories	10 feet
3 stories	10 feet
4 stories	12 feet
5 stories	15 feet

The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. In the case of a lot of record existing as of June 5, 1957, and held under

separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than ten (10) feet.

b. Detached accessory structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

c. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

4. *Side yard on side streets:*

a. Principal or accessory structures: Ten (10) feet.

(e) *Maximum lot coverage:* Forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units; fifty (50) percent for lots which contain fewer than twenty (20) dwelling units.

(f) *Minimum lot width:* Fifty (50) feet.

(g) *Maximum structure height:*

Principal and attached accessory structure: Forty-five (45) feet.

Accessory detached structure: Eighteen (18) feet.

(h) *Open space ratio:*

1. *Uses other than bed and breakfast.* Twenty (20) percent for those lots which contain fewer than twenty (20) dwelling units; thirty (30) percent for those lots which contain twenty (20) or more dwelling units. This area shall not include parking areas or other impervious surfaces as defined in section 14-47.

2. *Bed and breakfasts.* A bed and breakfast that is located on a lot that has at least twenty (20)

percent open space on the date of filing of the application for site plan shall not reduce the open space on the lot below twenty (20) percent of the lot area. A bed and breakfast located on a lot that does not have at least twenty (20) percent open space on the date of filing of the application for site plan review, and that is legally nonconforming as to the open space requirement of this section, shall not reduce the open space on the lot below the level in existence on the date of the application for site plan review. Open space areas shall not include parking areas or other impervious surface areas as defined in section 14-47.

- (i) A below-grade dwelling unit shall be permitted only if the primary access for the dwelling unit is provided directly to the outside of the building.
- (j) *Minimum gross floor area for bed and breakfasts:* Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.
- (k) *Maximum floor area for places of assembly on a collector or arterial road:*

Large	Not limited
Medium	4,500 sq. ft.
Small	2,250 sq. ft.

- (l) *Maximum floor area for places of assembly not on a collector or arterial road:*

Large	4,500 sq. ft.
Medium	2,250 sq. ft.
Small	1,125 sq. ft.

(2) *Small residential lot development:* Residential uses on small, vacant lots located in the R-6 are subject to site plan review and may use the dimensional requirements below if all of the following conditions are met:

The lot is:

Vacant or is used exclusively for parking or contains structure not used for residential purposes as of January 1, 2005; and the lot existed as of January 1, 2005.

- (a) *Minimum lot size:* None
- (b) *Maximum lot size:* Ten thousand (10,000) square feet.
- (c) *Yard dimensions:*

1. *Front yard:*

No more than ten (10) feet.

2. *Rear yard:*

None, except that rear yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the abutting buildings and proposed buildings divided by five (5), whichever is greater; and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line.

3. *Side yard:*

None, except that side yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the existing buildings and proposed buildings divided by five (5), whichever is greater and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; Provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have

a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line. On a corner lot no side yard is required on that side of the lot which abuts any street. A principal structure on a corner lot shall not be more than ten (10) feet from the street.

- (d) *Minimum principal structure height:* Two (2) stories of living space above the grade of the adjacent street frontage, except for porches, entryways, attached garages and accessory detached structures.
- (e) *Maximum principal structure height:* Forty five (45) feet.
- (f) *Open space requirement:* All lots used for residential purposes shall provide an attached exterior deck, porch, patio or balcony for each dwelling unit, except where a designated open space equal to ten (10) percent or more of the lot area is located on site and maintained as open space, then the number of exterior decks, porches, patios or balconies may be reduced by up to fifty (50) percent. The designated open space, if provided, shall have a minimum width and length of at least fifteen (15) feet, a slope of no greater than ten (10) percent and shall be used exclusively as recreational open space i.e. it shall not be used for vehicular circulation, parking, etc.. All required decks, porches, patios or balconies shall meet the requirements of the Planning and Development Design Manual.
- (g) *Minimum lot width:* None.
- (h) *Minimum land area per dwelling:* Seven hundred and twenty-five (725) square feet.

(Ord. No. 538-84, 5-7-84; Ord. No. 634-86, § 1, 7-7-86; Ord. No. 264-87, § 1, 3-16-87; Ord. No. 85-88, § 4, 7-19-88; Ord. No. 230-90, § 1, 3-5-90; Ord. No. 33-91, § 9, 1-23-91; Ord. No. 235-91, § 14, 2-4-91; Ord. No. 33A-91, 4-17-91; Ord. No. 118-93, § 12, 10-18-93; Ord. No. 154-96, § 12, 12-16-96; Ord. No. 125-97, § 4, 3-3-97; Ord. No. 245-97, §§ 1, 2, 4-9-97; Ord. No. 232-99; §3, 3-15-99; Ord. No. 78-03/04, 10-20-03; Ord. No. 21-04/05, 8-2-04, Ord. No. 145-04/05, 2-23-05; Ord. No. 254-05/06, 6-5-06; Ord. No. 131-08/09, 12-15-08; Ord. No. 127-09/10, 1-4-10 emergency passage)

City of Portland
Code of Ordinances
Sec. 14-139

Land Use
Chapter 14
Rev.7-21-10

***Editor's note--**Ord. No. 85-88, § 4, adopted July 19, 1988, amended § 14-139 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88.

Sec. 14-140. Other requirements.

(a) *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.

(b) *Storage of vehicles:* Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.

(c) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.

(d) *Small residential lot development* shall conform to the site plan standards of §14-526.
(Ord. No. 538-84, 5-7-84; Ord. No. 85-88, § 5, 7-19-88; Ord. No. 15-92, § 11, 6-15-92; Ord. No. 37-98, § 1, 5-4-98; formerly §14-145--renumbered per Ord. No. 122, 12-20-99; Ord. No. 78-03/04, 10-20-03; Ord. No. 254-05/06, 6-5-06; Ord. No. 240-09/10, 6-21-10)

***Editor's note--**Ord. No. 85-88, § 5, adopted July 19, 1988, amended § 14-145(a) to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88.

DIVISION 7.01. R-7 COMPACT URBAN RESIDENTIAL OVERLAY ZONE

Section 14-141. Purpose.

The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income

levels and household types.

Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood.

(Ord. No. 122, 12-20-99)

Sec. 14-142. Permitted Uses.

Permitted uses in the R-7 Compact Urban Residential Overlay Zone, shall be the uses permitted in the R-6 Zone, except that:

(a) Residential uses shall comply with the following dimensional requirements:

1. Minimum Lot Size: None
2. Minimum Frontage: None
3. Minimum Yard Dimensions:
 - a. Front yard: None
 - b. Rear and side yard: Five (5) feet.
 - c. Side yard on side street: None
4. Maximum Lot Coverage: 100%
5. Maximum Residential Density: Four hundred thirty five (435) square feet of land area per dwelling unit is required.
6. Maximum Building Height: Fifty (50) Feet

*How would
this project
fit into this.
↓
Applicant to
submit
analysis.*

(b) Off-street parking is required as provided in division 20 (off-street parking) of this article;

(c) Residential development in the R-7 Zone shall be reviewed by the Planning Board for compliance with Article IV, Subdivisions, and Article V, Site Plan;

(d) Any new dwelling unit constructed in the R-7 Zone shall contain a minimum of 400 square feet of habitable floor area;

(e) All other uses in the R-7 Zone shall observe the requirements of the R-6 Zone.

(Ord. No. 122, 12-20-99; Ord. No. 84-08/09, 10-20-08; Ord. No. 240-09/10, 6-21-10)

Sec. 14-143. Design Standards.

Residential development in the R-7 Zone shall be reviewed by the Planning Board under Article V, Site Plan. Such development shall also comply with the following development standards. The general intent of these development standards is to achieve an attractive and comfortable city neighborhood environment. Varied and human-scaled building facades are key to making a place "pedestrian-oriented." Building designs should provide a high level of visual interest, without creating a chaotic image. Residences should include design elements that enhance the streetscape and address the street.

- a. Porches and bays should face the street.
- b. Primary ground floor residential entries to multi-family buildings must orient to street, not to interior blocks or parking lots. Secondary and upper-floor entries from the interior of a block are acceptable. The front door to single-family homes, duplexes, and townhouses must be visible from the street.
- c. The design approach shall provide an architecture that will be a visible and permanent expression of the character of the neighborhood;
- d. The facade shall be varied and articulated to provide visual interest to pedestrians;
- e. Reinforce the public realm of the public open space,

sidewalks and streets through appropriately scaled entries, porches, fenestration, landscaping, and architectural details;

f. Provide visual and acoustical privacy between units;

g. Maximize natural light and ventilation within units.

(Ord. No. 122, 12-20-99)

Sec. 14-144. Reserved.

Sec. 14-145. Reserved.

(Ord. No. 122, 12-20-99)

DIVISION 7.1. IR-1 ISLAND RESIDENTIAL ZONE

Sec. 14-145.1. Purpose.

The purpose of the IR-1 island residential zone is to provide for low intensity residential, recreational, and rural uses in the less developed areas of the islands in order to preserve the rustic character of the islands, to protect groundwater resources and natural and scenic areas, and to permit only appropriate low intensity development in areas lacking adequate public facilities and services.

(Ord. No. 27-85, § 1, 7-15-85)

Sec. 14-145.2. Permitted uses.

The following uses are permitted in the IR-1 island residential zone:

- (a) Single-family detached dwellings.
- (b) Planned residential unit development with a minimum gross area, as defined in section 14-47 (definitions) of this article, of at least five, (5) acres of contiguous land, consisting of detached dwellings. Minimum yard dimensions (section 14-145.5(c)), street frontage (section 14-145.5(b)), and lot width (section 14-145.5(e)) shall be reduced up to fifty (50) percent of what would otherwise be required. Minimum lot area (section 14-145.5(a)) shall be reduced up to fifty (50) percent provided there is an equivalent corresponding increase in common or public open

space that is usable for passive or active recreational opportunities or that serves as a buffer between buildings or between the development and the surrounding neighborhood.

All area in such a development which is to be owned or used in common shall be governed and maintained as set forth in section 14-498(i)(3), article IV (subdivisions) of this chapter.

The density for a planned residential unit development shall not exceed one (1) dwelling unit per forty thousand (40,000) square feet of net area. Net area shall be determined by subtracting from the gross area of the site the area of street rights-of-way, slopes of fifteen (15) percent or greater, wetland.

Such development shall be subject to review and approval by the Planning Board with respect to the requirements of article V (site plan) and article IV (subdivisions) of this chapter, whether or not such development is a subdivision within the meaning of article IV of this chapter as now enacted or as hereafter amended.

- (c) Agriculture.
- (d) Boat houses and store houses for fishing equipment.
- (e) Parking and storage of equipment related to agriculture or commercial fishing.
- (f) Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory use) of this article, including but not limited to (a) home occupations, (b) temporary private tenting with one (1) tent accessory to a principal residential use provided that adequate water supplies and sanitation facilities are available in connection with the principal residential use, and (c) road side stands less than two hundred (200) square feet in floor area for the sale of agricultural products produced on the premises and the sale of fish and shellfish caught by the

occupant of the dwelling or principal structure.

- (g) Handicapped family unit, as defined in section 14-47, for handicapped persons, plus staff.

(Ord. No. 27-85, § 1, 7-15-85; Ord. No. 160-89, § 1, 12-11-89; Ord. No. 33-91, § 10, 1-23-91)

Sec. 14-145.3. Conditional uses.

The following uses are permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(a) *Residential:*

1. Accessory dwelling unit within and clearly subordinate to a principal single-family detached dwelling, provided that:
 - a. The accessory unit shall be no more than thirty-five (35) percent of the gross habitable floor area of the building and shall have a minimum floor area of four hundred (400) square feet;
 - b. Lot area shall be seventy thousand (70,000) square feet;
 - c. There shall be no open outside stairways or fire escapes above the ground floor;
 - d. Any additions or exterior alterations such as facade materials, building form, roof pitch and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the single-family appearance of the building. The exterior design of new construction including facade materials, building form, roof pitch and exterior doors shall have a single-family appearance;
 - e. A lower level dwelling unit shall have a minimum two-thirds of its floor-to-ceiling

height above the average adjoining ground level;

- f. Either the accessory unit or the principal dwelling shall be occupied by the owner of the lot on which the principal building is located, except for bonafide temporary absences; and
 - g. All sanitary waste shall be disposed of by a public sewer, subsurface sewerage system or other method in compliance with state and local regulations.
- (b) *Institutional*: Any of the following uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:
- 1. Schools and other educational facilities including seasonal camps other than campgrounds;
 - 2. Places of assembly, excluding yacht clubs and marinas;
 - 3. Municipal uses, provided that outside storage and parking areas are suitably screened and landscaped to ensure compatibility with the surrounding neighborhood;

Such uses shall be subject to the following standards if the total land area is two (2) acres or more:

- a. In the case of expansion of existing such uses onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential area;

- b. The proposed use will not cause significant displacement or conversion of residential uses existing as of July 15, 1985, or thereafter; and
- c. In the case of a use or use expansion which constitutes a combination of the above listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative.
- d. In the case of places of assembly (including places of religious assembly, community halls and private club or fraternal organizations) the proposed use shall be subject to the requirements of article V (site plan) of this chapter; and
- e. In the case of community halls:
 - i. The structure was in existence as of January 4, 2010.
 - ii. The structure was built for institutional or other non-residential uses;
 - iii. The structure is operated by, or operated subject to the control of, a not-for-profit entity in accordance with its not-for-profit purposes; and
 - iv. A parking management plan is submitted for review and approval by the planning board; and
- f. In the case of private club or fraternal organizations: any such establishment serving alcoholic beverages or in possession of a license for serving alcoholic beverages shall be located on a large lot, as specified in the minimum lot size provisions of this section.

(c) Other:

1. Utility substations including sewage and water pumping stations and standpipes, electric power substations, transformer stations, telephone electronic equipment enclosures, and other similar structures, provided that such uses are suitably screened and landscaped so as to ensure compatibility with the surrounding neighborhood;
2. Nursery schools and kindergarten;
3. Cemeteries;
4. Raising of domesticated animals, excluding pigs and reptiles, with no animals kept on any lot less than three (3) acres or closer than one hundred (100) feet to any street or lot line, except domesticated chickens as regulated in chapter 5, and provided that such use will not create any odor, noise, health or safety hazards, or other nuisance to neighboring properties;
5. Wharves, piers, docks, or landing ramps;
6. Campgrounds, excluding recreational vehicles, licensed by the State of Maine Department of Human Services provided that:
 - a. No tent shall be located within seventy-five (75) feet of the perimeter of site;
 - b. The land area of the park shall not be less than the equivalent of five thousand (5,000) square feet of land area per tent site exclusive of the roadway network;
 - c. Site plan review and approval by the Planning Board shall be required.
7. Day care facilities or home babysitting services not permitted as a home occupation under section 14-410, subject to the following conditions:
 - a. The facility shall be located in a structure in which there is one (1) or more occupied residential units or in an existing accessory

structure, unless the facility is located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use or in a nonresidential structure accessory to the principal nonresidential use.

- b. The maximum capacity shall be twelve (12) children for facilities located in residential or existing structures accessory thereto, unless the additional standards in subsection v. are met. There shall be no maximum limit on the number of children in a facility located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use, or in a nonresidential structure accessory thereto, provided that any such structure that serves more than twelve (12) children shall be subject to review under article V of this chapter.
- c. Outdoor play areas shall be screened and buffered from surrounding residences with landscaping and/or fencing to minimize visual and noise impacts.
- d. Solid waste shall be stored in covered containers. Such containers shall be screened on all four (4) sides.
- e. Day care facilities, nursery schools and kindergartens located either in structures that have been in residential use within the past five (5) years or in existing accessory structures and that serve between thirteen (13) and twenty-four (24) children shall meet the following additional standards:
 - i. The facility shall provide a minimum of seventy-five (75) square feet of outdoor play area per child;

- ii. The play area shall be located in the side and rear yards only and shall not be located in front yards;
 - iii. Outside play areas shall be separated from abutting properties by a fence at least forty-eight (48) inches in height;
 - iv. A ten-foot wide landscaped buffer shall be required outside of the fenced play area, and shall be established in accordance with the landscaping standards of the City's Technical Standards and Guidelines;
 - v. The minimum lot size for a day care facility located in a residential or existing accessory structure and serving more than twelve (12) children shall be twenty thousand (20,000) square feet;
 - vi. *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
 - vii. The maximum number of children in a day care facility located in a residential or existing accessory structure shall be twenty-four (24); and
 - viii. Any additions or exterior alterations such as facade materials, building form, roof pitch, and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the residential appearance of the building.
8. Temporary wind anemometer towers, as defined in Sec 14-47, are permitted provided the following standards are met in addition to Sec 14-430:
- a. Towers may be installed for the purpose of wind data collection for no more than

two (2) years after the issuance of a Certificate of Occupancy for the tower. At the conclusion of the aforementioned two (2) years, the tower must be dismantled and removed from the site within sixty (60) days; and

- b. Towers shall be constructed according to plans and specifications stamped by a licensed professional engineer, which shall be provided to the Board of Appeals with the application; and
- c. Towers shall be set back from habitable buildings by a distance equal to 1.1 times the tower height; and
- d. The applicant shall provide a safety report prepared and stamped by a licensed professional engineer to the Board of Appeals with their application for conditional use, which demonstrates how the proposed temporary wind anemometer tower is safe in terms of strength, stability, security, grounding, icing impacts and maintenance; and
- e. The applicant shall provide evidence of commercial general liability insurance, such insurance to be satisfactory to Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the temporary wind anemometer tower; and
- f. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and
- g. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related

meteorological data, but shall not be used for any other purpose; and

- h. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.

(Ord. No. 27-85, § 1, 7-15-85; Ord. No. 160-89, § 2, 12-11-89; Ord. No. 133-96, § 8, 11-18-96; Ord. No. 153-08/09; Ord. No. 29-09/10, 8-3-09 emergency passage; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. 240-09/10, 6-21-10)

Sec. 14-145.4. Prohibited uses.

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

(Ord. No. 27-85, § 1, 7-15-85)

Sec. 14-145.5. Dimensional requirements.

In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the IR-1 zone shall meet the following minimum requirements:

(a) *Minimum lot size*

1. Residential: Forty thousand (40,000) square feet for lots with public water; sixty thousand (60,000) square feet for lots without public water; except as provided in section 14-433 (lots of record and accessory structure setbacks for existing buildings) and section 14-145.3(a)1 of this article.
2. Schools and other educational facilities: Forty thousand (40,000) square feet.
3. Places of assembly:

Large	30,000 sq. ft.
Medium	15,000 sq. ft.

Small	7,500 sq. ft.
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4. Seasonal camps and campgrounds: Ten (10) acres.
5. Animal raising: Three (3) acres.
6. In issuing any permit for new development, the building or planning authority shall require that any lot located in the IR-1 zone shall be at least forty thousand (40,000) square feet in area when the lot is to be serviced by a subsurface wastewater disposal system, except those lots which are located in a subdivision approved by the Planning Board after June 8, 1968, and excluding Peaks Island.
7. Excluding Peaks Island from this subsection h., any property owner whose lot does not meet the minimum lot size requirements outlined in subsection g. of this section may, for purposes of this section only, merge two (2) or more separate lots on the same island in order to meet these requirements. Where the lots so merged are not contiguous, the property owner shall grant to the city as holder a conservation easement upon the lot or lots which will not contain the principal structure. The conservation easement shall contain both an existing legal description and a city assessor's chart, block and lot description. The building authority shall be authorized to accept such conservation easements on behalf of the city. Said easement shall be recorded by the applicant in the registry of deeds. A copy of the recorded easement and copies of the deeds for both lots shall be submitted to the building authority prior to issuance of a building permit. The property over which the conservation easement has been granted shall be used for passive recreational and conservation purposes only, and shall be subject to the following restrictions:
 - a. No structure shall be permitted on this property.
 - b. No parking or storage of vehicles or machinery

shall be permitted on this property at any time.

- c. No area of this property shall be paved.
- d. No exterior storage for commercial use shall be permitted on this property.
- e. The easement deed shall reference the lot which is benefited by this conservation easement. No conservation easement shall be used to benefit more than one (1) lot.

Conservation easements shall only be granted over lots which conform either to the provisions of section 14-433 or to the minimum lot sizes set forth in (a)1 of this section. Conservation easements shall not be granted over any lot which is encumbered by any other easement which prohibits all construction on that lot. A conservation easement may also name as a holder or grant a third-party right of enforcement to a nonprofit corporation or charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property; assuring the availability of real property for agricultural, forest, recreational or open space use; protecting natural resources; or maintaining or enhancing air or water quality of real property.

Nothing in this section shall be construed to allow an owner of a currently existing and developed lot to convey or permit a portion of that lot to be used to fulfill the requirements of this section if such conveyance would render the existing lot nonconforming under the terms of this chapter. The lot upon which a building is to be constructed shall meet the minimum lot size requirements of section 14-433.

- 8. Where an existing subsurface wastewater disposal system serving an existing structure requires replacement, the replacement system shall meet the applicable requirements of CMR 241 Section 2-E. The

land area requirements in subsection g. of this section shall not apply to such a replacement system.

For purposes of this subsection, the mean high tide mark shall be considered to be the shoreline lot line.

(b) *Minimum street frontage:*

One hundred (100) feet, except that a lot of record as described in section 14-433 (lots of record and accessory structure setbacks for existing buildings) and lots created after July 15, 1985, which are not part of a subdivision need not provide street frontage if access is available by means of a permanent easement or right-of-way which existed as of July 15, 1985. Such easement or right-of-way shall have a minimum width of sixteen (16) feet and a minimum travel width of eight (8) feet except that an easement or right-of-way providing access for three (3) or more lots or providing the only means of access to a parcel or parcels of three (3) acres or more, shall conform to the requirements contained within the City of Portland technical and design standards and guidelines manual and meet the construction requirements of article III of chapter 25 (street acceptances) of this Code. Such easement or right-of-way shall be sufficient to permit municipal service delivery.

(c) *Minimum yard dimensions:*

Yard dimensions shall include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.

1. *Front yard:* Principal or accessory structures: Thirty (30) feet.
2. *Rear yard:* Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Thirty (30) feet.

Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Ten (10) feet.

3. *Side yard:* Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.

Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Fifteen (15) feet, except that the minimum distance from a principal structure may be five (5) feet.

4. *Side yard on side streets:* Principal or accessory structures: Twenty (20) feet.

(d) *Maximum lot coverage:* Twenty (20) percent of lot area.

(e) *Minimum lot width:* One hundred (100) feet.

(f) *Maximum structure height:*

1. Principal or accessory attached structure: Thirty-five (35) feet.
2. Accessory detached structure: Eighteen (18) feet.

(g) *Maximum floor area for places of assembly on a collector or arterial road:*

Large	Not limited
Medium	4,500 sq. ft.
Small	2,250 sq. ft.

(h) *Maximum floor area for places of assembly not on a collector or arterial road:*

Large	4,500 sq. ft.
Medium	2,250 sq. ft.
Small	1,125 sq. ft.

(Ord. No. 27-85, § 1, 7-15-85; Ord. No. 160-89, § 3, 12-11-89; Ord. No. 218-04/05, 5-2-05; Ord. No. 131-08/09, 12-15-08; Ord. No. 127-09/10, 1-4-10 emergency passage)

Sec. 14-145.6. Other requirements

Other requirements include the following:

- (a) Off-street parking shall be required as provided in division 20 (off-street parking) of this article.
- (b) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.
- (c) *Storage of vehicles:* Only one (1) unregistered motor vehicle may be stored outside on the premises and not for a period exceeding thirty (30) days.

(Ord. No. 27-85, § 1, 7-15-85; Ord. No. 15-92, § 12, 6-15-92)

DIVISION 7.2. IR-2 ISLAND RESIDENTIAL ZONE

Sec. 14-145.7. Purpose.

The purpose of the IR-2 island residential zone is to protect the character of existing developed residential neighborhoods on the islands and to allow infill where there are adequate public services available. Expansion or extension of an existing IR-2 zone should be strictly limited, generally focused toward areas adjacent to existing village IR-2 areas, and restricted by such factors as adequacy of access, whether adequate water will be available for private use and for fire protection, and whether soils in the area are adequate for subsurface water disposal or whether public sewers are available. IR-2 rezoning on substantially sized parcels should not be considered for those sites that should be more appropriately zoned I or IR-3.

(Ord. No. 28-85, § 1. 7.15-85)

Sec. 14-145.8. Permitted use.

The following uses are permitted in the IR-2 island residential zone:

- (a) Single-family detached dwellings.
- (b) Planned residential unit development with a minimum gross area, as defined in section 14-47 (definitions) of this article, of at least five (5) acres of contiguous land, consisting of detached dwellings. Minimum yard dimensions



Zoning Amendment Application
Department of Planning and Development, Planning Division and Planning Board

PROJECT ADDRESS: 66-68 High Street

CHART/BLOCK/LOT: 44/F/1

CONTACT INFORMATION:

APPLICANT

Name: Community Housing of Maine
Address: 309 Cumberland Avenue, Ste 203
Portland, ME
Zip Code: 04101
Work #: 879-0347
Cell #: 720-0181
Fax #: 879-0348
Home: _____
E-mail: erin@chomhousing.org

PROPERTY OWNER

Name: University of Maine System
Address: 16 Central Street
Bangor, ME
Zip Code: 04401
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

BILLING ADDRESS

Name: see applicant address above
Address: _____

Zip: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

~As applicable, please include additional contact information on the next page ~

AGENT/REPRESENTATIVE

Name: Erin Cooperrider
Address: 309 Cumberland Ave, Ste.203
Portland, ME
Zip Code: 04101
Work #: 882.8349
Cell #: 720.0181
Fax #: 815.366.8136
Home: _____
E-mail: erin@chomhousing.org

ARCHITECT

Name: Ben Walter, CWS Architects
Address: 434 Cumberland Avenue
Portland, ME
Zip Code: 04101-2325
Work #: 774.4441
Cell #: _____
Fax #: 774.4016
Home: _____
E-mail: Bwalter@CWSarch.com

SURVEYOR

Name: Owen Haskell
Address: 16 Casco Street
Portland, ME
Zip Code: 04101
Work #: 774.0424
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

LANDSCAPE ARCHITECT

Name: John Mitchell, Mitchell & Asso.
Address: 70 Center Street
Portland, ME
Zip Code: 04101
Work #: 774.4427
Cell #: _____
Fax #: 874.2460
Home: _____
E-mail: jimitchell@mitchellassociates.biz

CONSULTANT

Name: Scott Hanson, Sutherland Conservation
Address: 20 Warren Street
Hallowell, ME
Zip Code: 04347
Work #: 620.6291
Cell #: _____
Fax #: _____
Home: _____
E-mail: scotthanson@sutherlandcc.net

ATTORNEY

Name: John Kaminski, DrummondWoodsum
Address: 84 Marginal Way, Suite 600
Portland, ME
Zip Code: 04101
Work #: 772.1941
Cell #: _____
Fax #: 772.3627
Home: _____
E-mail: jkaminski@dwmlaw.com

PROJECT DATA

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

Total Site Area 23,797 sq. ft.
 Proposed Total Disturbed Area of the Site 23,797 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

Proposed Total Paved Area 4,569 sq. ft.
 Existing Total Impervious Area 11,815 sq. ft.
 Proposed Total Impervious Area 18,150 sq. ft.
 Proposed Impervious Net Change 6,335 sq. ft.

Building Area

Existing Building Footprint 8,025 sq. ft.
 Proposed Building Footprint 13,581 sq. ft.
 Proposed Building Footprint Net change 5,556 sq. ft.
 Existing Total Building Floor Area 26,203 sq. ft.
 Proposed Total Building Floor Area 39,571 sq. ft.
 Proposed Building Floor Area Net Change 12,768 sq. ft.
 New Building (ADDITION) YES (yes or no)

Zoning

Existing R-6
 Proposed R-7

Land Use

Existing OFFICE
 Proposed RESIDENTIAL

Residential, if applicable

Proposed Number of Affordable Housing Units 35
 Proposed Number of Residential Units to be Demolished N.A.
 Existing Number of Residential Units NONE
 Proposed Number of Residential Units 35
 Subdivision, Proposed Number of Lots NONE

Parking Spaces

Existing Number of Parking Spaces 1
 Proposed Number of Parking Spaces 15
 Number of Handicapped Parking Spaces 3
 Proposed Total Parking Spaces 15

Bicycle Parking Spaces

Existing Number of Bicycle Parking Spaces NONE
 Proposed Number of Bicycle Parking Spaces 6
 Total Bicycle Parking Spaces 6

Estimated Cost of Project

\$ 8,500,000

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property.

Applicant has an executed Option to Purchase (attached)

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use:

Describe the existing use of the subject property:

Office and classroom space

Current Zoning Designation(s):

R6 Residential

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

Applicant proposes to renovate the existing building, including the construction of an addition, into 35 units of affordable rental housing for families. The complex will contain a mix of one-, two-, and three-bedroom units. On-site parking is proposed for underneath the addition, which will be sized and located to approximate the original mansion.

Sketch Plan: On a separate sheet, please provide a sketch plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1' = 100'.) Contract and conditional rezoning applications may require inclusion of site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEE:

Check the type of zoning review that applies. Payment may be made in cash or check to the City of Portland.

Zoning Map Amendment

\$2,000.00 (from R6 zone to R7 zone)

Zoning Text Amendment

\$2,000.00 (to Section 14- _____)

(For Zoning Text Amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example), and language to be added is depicted with underline (example).

Conditional or Contract Zone

\$1,000.00 (under 5,000 sq. ft.)

\$3,000.00 (5,000 sq. ft. and over)

(A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)

Signature: The above information is true and accurate to the best of my knowledge.

Signature of Applicant: <i>Ann Connersides, Development Director</i>	Date: <i>6-21-10</i>
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Further Information

In the event of withdrawal of the zoning amendment application by the applicant, a refund of two-thirds of the amount of the zone change fee will be made to the applicant as long as the request is submitted to the Planning Division prior to the advertisement being submitted to the news paper.

HOUSING OBJECTIVE OF THE PROJECT

Community Housing of Maine will seek low income housing tax credits, state and federal historic tax credits, and subsidy through MaineHousing's Rental Loan Program for the development of 35 units of low-income family housing at 66-68 High Street in Portland, Maine. The complex will contain a mix of one- and two- and three-bedroom units in an elevator building. A community room, family play area, activity room, laundry facilities, and clustered post boxes will serve as meeting places for residents. The residents will enjoy close proximity to schools, daycare, playgrounds, and employment opportunities, as well as public transportation, shopping, dining and recreational opportunities at this in-town location.

THE SITE

The subject property is a freestanding 3-story, 28,954+/- brick building located on .539+/- acres of land at 66-68 High Street in Portland. The University of Maine System currently owns and occupies the property. It was listed for sale with The Dunham Group and in March 2010 the University optioned the property to Community Housing of Maine.

The property is located in one of the first historic districts created in the City of Portland, and the building, which was designed by Fredrick A. Tompson and constructed in 1909 as a children's hospital, is an important Colonial Revival building. The State Historic Preservation Commission has confirmed that the project is eligible for listing on the National Register of Historic Places and the National Park Service has approved a Part I application for Federal historic tax credits. The property has frontage on High Street and on Danforth Street, with an existing curb cut on High Street. Central Maine Power supplies power to the building, which is also served by municipal water and sewer.

BUILDING PROGRAM

Assuming all approvals can be secured, the Community Housing of Maine plans to renovate the main building, constructing an addition of roughly equal size, with parking below grade. The addition will be sized and located to approximate the original mansion. Zoning calls for 1 parking space per unit in the new construction portion of the project, which will contain 15 units. The attached sketch plan shows a total of 15 parking spaces, 11 under the addition, and four surface spaces, including two handicap spaces. When complete, the project will contain 20 x 1-bedroom units, 12 x 2-bedroom units, and 3 x 3-bedroom units for a total of 35 units. Most of the community space will be located in a daylight basement beneath the existing building.

ZONING AND PERMITTING

The property at 66-68 High Street is currently zoned R-6 Residential and is eligible for an R-7 overlay, which would allow greater density, lot coverage, and reduced set-back requirements. The proposed use and configuration is allowed in the R-6 district, and the proposed density is allowed in the R-7 overlay. The proposed zoning map amendment will allow the project to increase the allowable density from 20 units to 35 units, which will make the project financially feasible. The design team has met with City staff representing Code Enforcement, Planning, and Historic Preservation regarding zoning, permitting, and Historic Preservation requirements. Subdivision and Site Plan approval will also be required from the City of Portland, in addition to approval from the Portland Historic Preservation Commission, Section 106 Review by the State Historic Preservation Commission, and approval of Parts I, II, and III of an application for historic credits from both the State Historic Preservation Commission and the National Park Service.

OPTION TO PURCHASE AGREEMENT

THIS OPTION TO PURCHASE AGREEMENT, dated this 4th day of March, 2010, is by and between the UNIVERSITY OF MAINE SYSTEM, a body politic and corporate, and an instrumentality and agency of Maine with an address at 16 Central Street, Bangor, Maine 04401 ("Seller"), and COMMUNITY HOUSING OF MAINE, INC., a Maine nonprofit corporation with an address at 309 Cumberland Avenue, Suite 203, Portland, Maine 04101, or its assigns ("Buyer").

WHEREAS, Seller is the owner of a .539-acre parcel of land with buildings thereon at 66-68 High Street in Portland, Maine, identified as Tax Map 44, Block F, Lot 1, which property is more particularly described on Exhibit A attached hereto (the "Premises");

WHEREAS, Seller desires to grant to Buyer, and Buyer desires to accept, an option to purchase (the "Option") with respect to the Premises upon the terms and conditions as set forth herein.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Option Period; Extension; Exercise of Option.

- (a) Seller hereby grants Buyer the option to purchase the Premises for a period commencing from the date of this Agreement (the "Effective Date") and expiring six (6) months thereafter (the "Option Period"). Buyer shall pay to Seller as consideration for the Option the amount of [REDACTED] upon the signing of this Agreement. Buyer shall have ninety (90) days from the Effective Date to conduct its preliminary due diligence. During such ninety (90) day period, Buyer may terminate this Option Agreement for any reason by written notice to Seller. Upon any such termination, Buyer shall receive a refund of the entire [REDACTED] consideration. In the event that Buyer does not so terminate this Option Agreement, then Buyer shall pay to Seller an additional [REDACTED] upon the end of such ninety (90) day period. All amounts paid pursuant to this Paragraph 1(a) are referred to below as the "Option Payments"
- (b) HUD Required Language. The Buyer may fail or refuse to exercise this Option for any reason whatsoever, including without limitation that the Buyer determines, or is notified that the Premises do not meet the environmental requirements of the United States Department of Housing and Urban Development or other environmental requirements.

(c) Subject to the conditions provided in this paragraph 1(c), Buyer may extend this Option for two (2) additional 6-month periods (the "Extension Periods"), by paying additional consideration for each such extension in the amount of [REDACTED] (the "Extension Payment"), provided such payment is made to Seller before the expiration of the original Option Period, and each Extension Period. All decisions regarding whether to extend this option shall be made by Buyer in Buyer's sole discretion.

(1) Buyer may initiate the first extension upon notice and payment of the applicable Extension Payment to Seller accompanied by presentation to the Seller of proof that 1) Buyer has made application to the Maine State Housing Authority for an allocation of low income housing tax credits, 2) Buyer has obtained a term sheet from a qualified construction lender, and 3) Buyer has obtained a letter of interest from a qualified tax credit syndicator / investor. In the event Buyer fails to provide all of the above information to Seller, Seller shall have the option of terminating the contract.

(2) Buyer may initiate the second extension upon notice and payment of the applicable Extension Payment to Seller accompanied by presentation to the Seller of proof that 1) the project has received an allocation of low income housing tax credits, or achieved a position in the top five (5) projects on the waiting list, 2) the project has received subdivision approval, and 3) either (i) the Project has obtained an approved Part I application for historic tax credits or (ii) Buyer waives in writing any right to a refund of the Option Payment and Extension Payment under paragraph 2 as a result of the inability to obtain Maine Historic Preservation and U.S. National Park Service approvals. In the event Buyer fails to provide all of the above information to Seller, Seller shall have the option of terminating the contract.

(d) All payments made hereunder, including without limitation any Option Payments and the Extension Payments, shall apply to the purchase price, and shall be non-refundable except as provided herein.

(e) Buyer may exercise its option to purchase at any time during the Option Period or any Extension Period by giving written notice to Seller of its intent to exercise its option to purchase (the "Purchase Notice").

2. Refund of Option Payment and Extension Payments. The Option Payments and any Extension Payments shall be refundable in full, and upon the actual refund of such

Buyer, (h) an allocation of low-income housing tax credits and a commitment for permanent financing from Maine State Housing Authority, all on terms reasonable satisfactory to Buyer; or (i) any other permits or approvals reasonably required for Buyer's proposed redevelopment of the Premises.

3. Purchase Price. Subject to adjustment as set forth below, Buyer shall pay Seller a purchase price of [REDACTED] (the "Purchase Price") upon closing.

4. Closing. If Buyer exercises the option to purchase, then closing on the sale of the Premises shall take place on the date specified by Buyer, but in no event later than the date that is ninety (90) days after the date of the Purchase Notice, nor later than eighteen (18) months after the date of this agreement.

5. Conditions to Sale. If Buyer exercises its option to purchase the Premises, the following terms and provisions shall apply:

- (a) Title to the Premises shall be conveyed to Buyer by Quit Claim Deed, which deed shall be free and clear from encumbrances except provisions of existing building and zoning laws, any covenants and/or easements of record and usual public utility servicing the property with Buyer's intended use of the Premises; such real estate taxes for the then current tax period which are not due and payable on the date of delivery of such deed; and any matters of record which in Buyer's opinion do not interfere with Buyer's plans to develop or use the property or with Buyer's ability to obtain financing in connection with the development or use. Buyer shall notify Seller of any defects in title that would make Seller unable to give title to the Premises as herein stipulated. Seller shall be obligated to proceed in good faith to cure any such title defect(s). If required, the closing shall be extended to allow Seller time to cure any such title defects, but in no event shall the closing be extended more than thirty (30) days for such purposes. If a title defect exists, Buyer may elect, by written notice to Seller, either (i) to accept title to the Premises subject to any uncured defects in title or (ii) to terminate this option,

whereupon all Option Payments and Extension Payments paid by Buyer to Seller shall be immediately refunded to Buyer, the obligations of all parties hereunder shall cease, and neither party shall have any claim against the other by reason of this Agreement.

- (b) Real estate taxes for the then current tax period, if applicable, shall be apportioned as of the closing date and the net amount thereof shall be added to or deducted from, as the case may be, the Purchase Price payable by Buyer at the time of delivery of the deed. Each party shall pay its statutory share of the Maine State transfer tax to the extent applicable.
- (c) In the event that Buyer exercises the Option, but fails to close in accordance with the terms of this Option Agreement, Seller shall retain the Option Payments and Extension Payments as Seller's sole and exclusive remedy.

6. Representations. Seller represents, covenants and warrants to and agrees with Buyer as follows:

- (a) Seller is the current owner of the Premises, and has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Seller of its obligations hereunder will not conflict with, or result in breach of any regulation, order, judgment, injunction or decree of any court or governmental authority or any agreement or instrument to which Seller is a party or by which it is bound.
- (b) There are no agreements or contracts affecting the Premises or any use of the Premises that would not be terminable at will by Buyer without penalty from and after the Closing.
- (c) There is no notice, suit, order, decree, claim, writ, injunction, or judgment relating to material violations of any laws, ordinances, codes, regulations or other requirements with respect to the Premises (or any portion thereof) in, of or by any court or governmental authority having jurisdiction.
- (d) There are no suits, actions or proceedings pending or to Seller's knowledge threatened against Seller materially affecting the Premises or Seller's right or power to consummate the transaction contemplated by this Agreement before any court or administrative agency or officer.
- (e) There is no condemnation proceeding pending or to Seller's knowledge threatened against any portion of the Premises.

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Buyer represents, covenants and warrants to Seller that Buyer has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Buyer of its obligations hereunder: (i) have been duly authorized by all requisite action; and (ii) will not conflict with, or result in a breach of, any of the terms, covenants and provisions of the by-laws or articles of organization of Buyer or any law or any regulation, order, judgment, writ, injunction or decree of any court or governmental authority, or any agreement or instrument to which Buyer is a party or by which it is bound.

7. Affirmative Covenants of Seller. Seller agrees during the Option Period and pending closing if Buyer exercises its option that:

- (a) Seller shall pay, when due, all taxes and assessments of every type or nature levied or assessed against the Premises and any claim, lien or encumbrance against the Premises that might materially affect Seller's ability to fulfill its obligations hereunder.
- (b) Seller (i) shall not commit or suffer waste and (ii) shall comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the Premises and will not suffer or permit any violation thereof.

8. Notice. Whenever notice is given or required to be given by either of the parties hereto to the other, it shall be deemed to have been given if in writing and mailed by certified or registered mail, return receipt requested, postage prepaid, or hand delivered, addressed to the parties at the address set forth in the first paragraph above or to such other address(es) as either party shall have last designated by like notice in writing. All notices shall be effective upon hand delivery or mailing, whichever first occurs.

9. Further Assurances. The parties agree that up to and after the date of closing, they shall do such things and execute, acknowledge and deliver any and all additional instruments, documents and materials as either party may reasonably request to fully effectuate the purposes of this Agreement.

10. Buyer's Access. Buyer and others whom Buyer may designate shall have the right, at all reasonable times, at Buyer's sole cost and expense, risk and hazard, to enter upon the Premises to examine and/or show the same and make, or cause to be made, engineering studies and other inspections with respect thereto, including, without limitation, surveying, conducting test borings in order to determine sub-soil conditions, and in general conducting all other tests, analysis and studies of the Premises which Buyer deems prudent in connection with Buyer's intended development or use of the Premises. Buyer shall restore the Premises following any testing as reasonably as possible to its pre-existing condition, unless otherwise agreed by Seller.

11. Construction of Agreement. This instrument is to be construed as a Maine contract sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both the Seller and Buyer. The captions are used only as a matter of convenience and are not to be considered a part of this Agreement or to be used in determining the intent of the parties to it. Time is of the essence with respect to all dates set forth in this Agreement.

12. Risk of Loss. The risk of loss shall remain on Seller at all times until closing.

13. Assignment. Buyer may assign this Agreement to any subsidiary and/or any affiliate of Buyer including without limitation a limited partnership in which Buyer controls the general partner.

KL

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

SELLER:

UNIVERSITY OF MAINE SYSTEM

By: [Signature]
Its: Kevin Carr, Director Office of Strategic Procurement

BUYER:

COMMUNITY HOUSING OF MAINE, INC.

By: [Signature]
Erin Cooperider, Development Director

STATE OF MAINE
COUNTY OF Penobscot, SS.

March 4, 2010

Personally appeared the above-named, Kevin Carr, Director Office of Strategic Procurement of the University of Maine System, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said University of Maine System.

Before me,

[Signature]
Notary Public/Attorney at Law
Angela R. Nickerson
Printed Name



Angela R. Nickerson
Notary Public, State of Maine
My Commission Expires 03/09/2013

PBR



PLANNING BOARD REPORT PORTLAND, MAINE

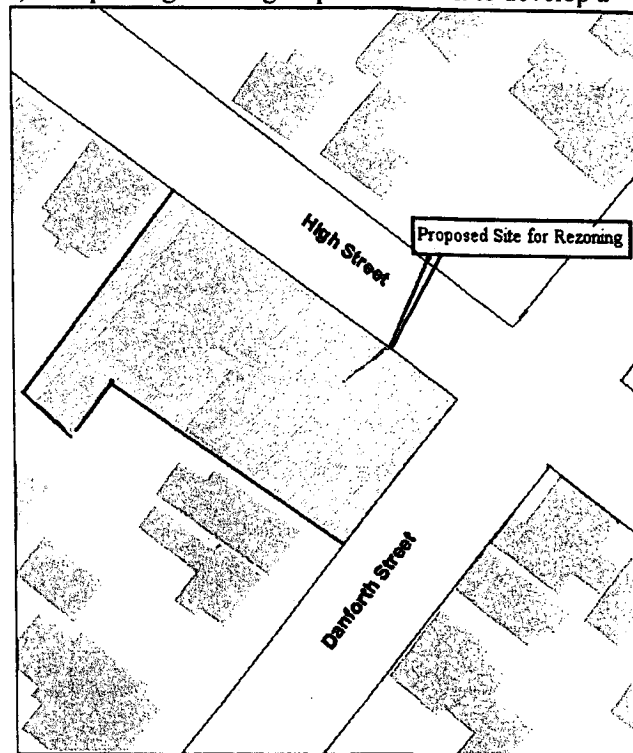
**R-6 TO R-7 ZONING MAP AMENDMENT
66-68 HIGH STREET
APPLICATION 10-79900015
COMMUNITY HOUSING OF MAINE (CHOM) APPLICANT
ERIN COOPERIDER, AGENT**

Submitted to: Portland Planning Board Public Hearing Date: September 28, 2010	Prepared by: Shukria Wiar, Planner Planning Board Report # 33-10 Date: September 23, 2010
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I. INTRODUCTION

Community Housing of Maine (CHOM) is requesting a zoning map amendment to develop a parcel at 66-68 High Street (corner of High and Danforth Streets). The parcel consists of approximately 23,797 square feet (.539 acres) of land area. CHOM is proposing the rezoning of the site from R-6 to an R-7 zone in order to renovate and construct a housing project under the density and lot coverage provisions of the R-7 zone. The applicant is requesting the zone change in order to develop the site with a thirty-five (35) unit multi-family residential development and fifteen (15) parking spaces. All of the residential units will be affordable.

In summary, the infill project is designed to provide affordable housing, with a bedroom mix serving a variety of household sizes near the downtown. The location offers convenient access to schools, daycare, playgrounds, and employment opportunities, as well as public transportation, shopping, dining and recreational opportunities at this in-town location. The proposal does not meet the R-



Map 1- Site of Proposed Rezoning from R-6 to R-7

6 dimensional requirements for two specific standards: 1) density and 2) lot coverage. Therefore the applicant is seeking a map amendment for the site from R-6 to R-7.

The applicant has had two workshop meetings with the Planning Board. At the first workshop, the Board requested the applicant to articulate how the proposed map amendment met the City's Comprehensive Plan and the purpose statement of the R-7 zone. In order to meet this request the applicant has submitted a supplemental information packet, Attachment B-1, for the Board's review.

The applicant's submission dated 02.22.2008 includes a revised site plan, floor plans, and proposed elevations (Attachment A-2 and A-4).

II. ZONING AND DEVELOPMENT FINDINGS

Site: 66-68 High Street
Tax Maps: Tax Map 44, Block F, Lot 1
Land Area: 23,797 square feet
Existing Uses: University of Southern Maine offices and classroom
Current Zoning: Residential R-6 zone
Proposed Zoning: Compact Residential R-7 zone
Total Units Allowed in R-6: 19.8 units
Total Units Allowed in R-7: 54 units

Proposed Project Statistics:

Total Units: 35 units
Housing Mix: Units are 1, 2, and 3-bedrooms; all the units will be affordable housing.
Building Height: The residential building addition will be three (3) stories above one level of parking. The building height shall meet the height standard of R-7
Lot Coverage: 52 %
Total Parking: A total of 15 parking spaces; 14 spaces on the ground floor and one space at the street level on High Street
Parking Ratios: Proposed: 0.42 spaces/unit (15 spaces for 35 dwelling units)
Density: A density of 680 square feet of lot area per unit is proposed.
(Allowable density in R-7 is 435 SF of land area per dwelling unit.)

III. NEIGHBORHOOD PUBLIC COMMENTS

Since the submittal of the project application, fifteen (15) comments have been submitted to the Planning Division, please see Attachment 5 for all of the comments. Of these comments, there are eleven (11) letters in support and four (4) letters in opposition.

On September 1st, 2010, the Planning Division staff met with several direct abutters of the project. They voiced concerns about the potential overall density that could be built under the R-7 zone standards. The abutters expressed that they are not necessarily opposed to the project itself but rather are concerned with the potential impacts of building 54 units under the R-7 zone and asked about possible options for limiting the total build out of the site.

There were three hundred and thirty-eight (338) notices that were sent to abutters and interest party list. A notice also appeared in the September 20, 2010 and September 21, 2010 editions of

the *Portland Press Herald*.

IV. DEVELOPMENT PLAN

A. General Overview

CHOM's application and concept plans for the proposed development is dated June 21, 2010 and is included as (Attachment A-1).

Community Housing of Maine has entered into a contract to purchase a parcel of land from University of Maine Systems consisting of approximately 23, 478 square feet located at 66-68 High Street, being a parcel shown on City of Portland Tax Map 44, Block F, Lot 1. There is a freestanding 3-story building with a total area of approximately 28,954 sq ft. The University of Maine System currently owns and occupies the property as office and classroom space. The property has frontage on High Street and on Danforth Street, with an existing curb cut on High Street. The property is surrounded by multi-unit residential buildings, as well as businesses and daycares.

The Community Housing of Maine plans to renovate the main building, and construct an addition of roughly equal size with parking below grade. The addition will be located approximately where the original mansion stood. The site plan (Attachment A-1) shows a total of fifteen (15) parking spaces, eleven (11) under the addition, and four surface spaces, which includes two handicap spaces. The complex will contain twenty (20) 1-bedroom units, twelve (12) 2-bedroom units, and three 3-bedroom units for a total of 35 units. A community room, family play area, activity room, laundry facilities, and clustered post boxes will serve as meeting places for residents. Most of the community space will be located in a daylight basement beneath the existing building.

The property is located in one of the first historic districts created in the City of Portland, and the building, which was designed by Fredrick A. Thompson and constructed in 1909 as a children's hospital, is an important Colonial Revival building. The State Historic Preservation Commission has confirmed that the project is eligible for listing on the National Register of Historic Places and the National Park Service has approved a Part I application for Federal historic tax credits. This development will be subject to review by the Historic Preservation Board under Portland's Historic Preservation ordinance.

B. Parking



Figure 1- Site of Proposed Addition

The R-6 parking requirement is one space per dwelling unit and the land use code does not require the reuse of an historic structure to provide more parking than is currently on-site. The R-7 zone requires one space per dwelling, so a total of fifteen (15) parking spaces is required for the new addition. In addition, Incentives for Affordable Housing calls for one parking space per unit or allows the Planning Board to determine the final number of required parking spaces. The applicant is proposing to provide fifteen (15) on-site parking spaces as part of this project. Of these parking spaces, two will be handicapped spaces.

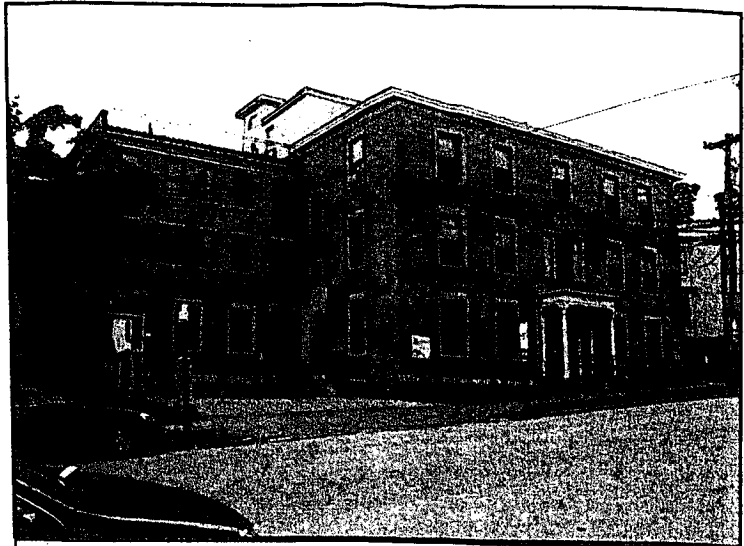


Figure 2- Existing Building Onsite

V. APPLICANT SUPPLEMENTAL INFORMATION

The applicant has submitted a supplemental information packet for the Board's review. The Planning Board at the first workshop meeting held on July 27th had requested the applicant to assess and explain the proposal's consistency with Portland's Comprehensive Plan and the purpose statement of the R-7 zone. The applicant has provided an analysis of the neighborhood, which is included in the supplemental report. The report is included as Attachment A-1 and is organized into four categories: 1) project overview 2) R-7 Overlay Eligibility 3) Analysis of the neighborhood's density and 4) Neighborhood Meeting and Minutes.

The applicant also held a neighborhood meeting on August 19, 2010 and a total of twenty-seven (27) abutters attended the meeting, please Attachment A-1.

VI. ZONING ANALYSIS

The Housing Committee recently requested the density statistics for all the parcels on the peninsula that are in the R-6 zone. The density is derived by dividing the number of units by the area of the parcel. There are two maps, please see Attachments 1 and 2, which are included as part of this report. The first map shows the land area per unit (square feet/unit). The parcels in green (greater than 1000 sq ft land area per unit) are equivalent to the R-6 zoning and the parcels in yellow (435 sq ft to 1000 sq ft land area per unit) are equivalent to the allowable densities of the R-7 zone. The red parcels represent higher density properties and are either in the B-3 zone or are conditional rezone locations. The second map shows only the units per each property.

It can be observed from these maps that there is a mix of densities in the surrounding neighborhood. The block on Park Street (from Spring and Danforth Streets), has most of the parcels in the range of 435 sq ft to 1000 sq ft land area per unit. The block where this project is proposed has a mix of both densities, greater than 1000 sq ft and between 435 sq ft and 1000 sq ft land area per unit.

The chart below shows the zoning requirements for the R-6 and R-7 zones as well as the proposed project requirements. Copies of the R-6 and R-7 text are included as Attachment 3 and Attachment 4.

Dimension	Residential R-6	Residential R-7	Proposed Project
Minimum lot size	4500 sq ft	None	23,797 sq ft
Front yard setback	10 feet	None	15 feet
Rear yard setback	20 feet	5 feet	28 feet
Minimum Lot Width	50 feet	30 feet	200 feet
Side yard setback	For 3 stories... 10 feet.	5 feet	25 feet
Lot Coverage	Maximum forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units.	100%	52% building coverage with building and 76% proposed impervious surface coverage
Density	1200 sq ft/unit	435 sq ft/unit	23,797 square feet/number of units. 35 units = 680 sq ft Applicant can go up to 54 units (23,797/ 435)
Maximum Height	45 ft	50 ft	45' for the new addition
Parking Spaces/ Ratio	Off-street parking, For new construction, two (2) parking spaces for each dwelling unit, plus one (1) additional parking space for every six (6) units or fraction thereof. This proposal requires about 33 off-street spaces for the new addition.	1:1 ratio	15 parking spaces for addition ; a 1 to 1 ratio No parking spaces for the existing structure on site. Therefore the parking ratio is .43 to 1 ratio for the entire project
Open Space Ratio	Thirty (30) percent for those lots which contain twenty (20) or more dwelling units.	None required	
Street Frontage	Minimum forty (40) ft	None required	200

The request for rezoning to R-7 was brought forward by the applicant after consulting with the Planning Office for appropriate zoning amendment alternatives. The R-7 zone was recommended because it fits the overall proposal, and does not require further amendments or adjustments for space and bulk or other regulation. The issues of maximum density and the conditional zoning option have been raised by neighborhood residents. The applicant requests the Planning Board consider their proposed R-7 rezoning as presented as a zoning map amendment.

VII. POLICY CONSIDERATIONS

The proposed zoning map amendment for the property located at 66-68 High Street must be evaluated for consistency with the City's Comprehensive Plan. The applicant has provided a supplemental information packet to address the Board's requests for their assessment of how their proposed zone change is consistent with the Comprehensive Plan and R-7 purposed statement (Attachment A-1). Below are the relevant excerpts from the Comprehensive Plan cited by the Planning Staff:

A. Housing: Sustaining Portland's Future – Adopted November 18, 2002

The following statements are housing policies that are relevant to this proposal. The first policy of Housing: Sustaining Portland's Future is to ensure an adequate and diverse supply of housing for all. Objectives under that policy include the following:

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied. The list of potential housing options under this objective include:
 - ii. Housing units for decreasing household sizes, such as young professionals, empty nesters, single parent households and senior citizens.
 - v. Higher density housing, such as row houses, small lots, reuse of non-residential buildings, and mixed use buildings.
 - vii. Housing development that encourages community, such as co-op housing.
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers and public transportation.
- Evaluate and update current zoning, as needed, to encourage higher density multi-family developments and mixed use projects that incorporate housing, particularly along major public transportation routes, near services areas, and in redevelopment or infill areas, where appropriate.
- Encourage housing within and adjacent to the downtown. Evaluate and update current zoning and building codes, as needed, to facilitate new housing and redevelopment opportunities....

The third policy of the housing plan refers to neighborhood stability and integrity, and "maintain and enhance the livability of Portland's neighborhoods as the City grows and evolves through careful land use regulations, design and public participation that respect neighborhood integrity." It states that "promote through City policies a mix of housing types, retail and services, and open spaces/recreation opportunities of appropriate size, scale and type within neighborhoods. Relevant objectives under this policy include the following:

- Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.
- Ensure the integrity and economic value of Portland's neighborhoods.
- Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.

The fifth policy of the housing plan refers to sustainable development and "...encourages a manageable level of growth that will sustain the City as a healthy urban center in which to live and work and to achieve a shared vision for Portland." It states that "Portland should encourage sustainable development patterns and opportunities within the City by promoting efficient land use, conservation of natural resources and easy access to public transportation, services and

public amenities.” Relevant objectives under this policy include the following:

- Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services and an affordable tax rate.
- Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing.
- Design housing using new technologies and materials that reduce costs and increase energy efficiency. [note: building to built to meet or exceed Maine State Housing’s Green Building Standards].

B. A Time of Change: Portland Transportation Plan – Adopted July 1993

- Provide maximum mobility in a balanced transportation system, which encompasses all modes, to support the economic vitality and quality of life of the Portland community.
- Ensure future growth does not foster auto dependency.
- Allow development along transit corridors and near community commercial centers to evolve at a density sufficient to make public transit, walking, and biking viable options.

C. Purpose Statement of the R-7 Zone

The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.

Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood.

D. Staff Analysis

The property proposed to be rezoned is located on High Street on Portland’s peninsula. The site is located on an arterial street with METRO transit service and within walking distance of downtown, employment opportunities and shopping. The site is a relatively large parcel in the R-6 zone and the lot contains the former Children’s Hospital and open land area, as a result of demolishing the original mansion. The larger scale and

density of the R-7 zone works reasonably well at this location, which traditionally has had larger-scaled buildings and a variety of building types on the site and along the street. The proposed zone change will provide increased density on the site and within a neighborhood where both R-6 and R-7 densities exist. The site will provide compact in-city living for renters, which is near services, such as businesses, institutions, employers and public transportation. The proposed R-7 zone for 66-68 High Street is a suitable zone for this location as it is consistent with the policies of the comprehensive plan and the purpose of the R-7 zone.

VIII. Planning Board Motion

On the basis of plans and materials submitted by Community Housing of Maine, the policies and requirements of the R-7 zone, Comprehensive Plan, public comment, the information provided in Planning Board Report # 33-10, and/or other findings as follows:

That the Planning Board finds that the proposed rezoning from R-6 zone to R-7 zone for Community Housing of Maine at 66-68 High Street as described in this Report (is or is not) consistent with the Comprehensive Plan of the City of Portland. The Planning Board therefore (recommends or does not recommend) the rezoning from R-6 zone to R-7 zone for Community Housing of Maine at 66-68 High Street to the City Council for its approval.

2nd - silk

Attachments

6-0

Planning Board Report Attachments

1. R-6 Zoning Analysis Map- Square Feet per Living Unit
1.1 Blowup of Vicinity of Proposed Project
2. R-6 Zoning Analysis Map- Living Units
3. R-6 Zoning Standards
4. R-7 Zoning Standards
5. Public Comments

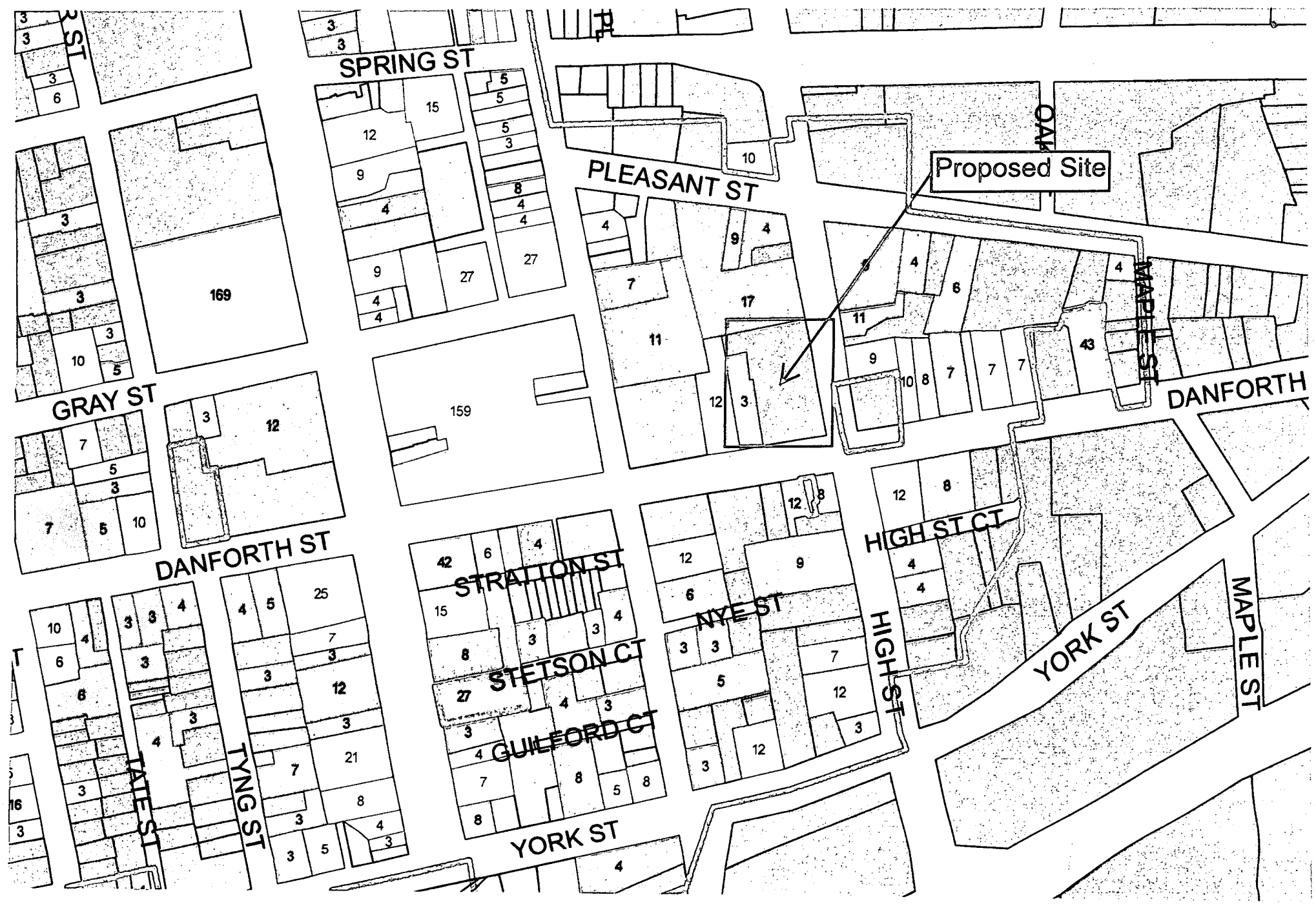
absent - Lowry

Attachment A: Excerpts of Revised Material, 06.18.2010

- A-1 Application
- A-2 Cover Memorandum from Applicant
- A-3 Option to Purchase Agreement
- A-4 Site Plan

Attachment B: Excerpts of Revised Material, 08.30.2010

- B-1 Supplemental Information Package



(Ord. No. 537-84, 5-7-84; Ord. No. 15-92, § 10, 6-15-92)

- Sec. 14-132. Reserved.**
- Sec. 14-133. Reserved.**
- Sec. 14-134. Reserved.**

DIVISION 7. R-6 RESIDENTIAL ZONE*

*Editor's note--Ord. No. 538-84, adopted May 7, 1984, repealed Div. 7, §§ 14-131--14-134, and enacted a new Div. 9, §§ 14-135--14-139, 14-145. However, in order to avoid duplication of division numbers and in consultation with the city, the provision has been included as Div. 7.

Sec. 14-135. Purpose.

The purpose of the R-6 residential zone is:

(a) To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses.

(b) In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.

(Ord. No. 538-84, 5-7-84; Ord. No. 78-03/04, 10-20-03)

Sec. 14-136. Permitted uses.

The following uses are permitted in the R-6 residential zone:

(a) *Residential:*

1. Single- and two-family dwellings. No building reviewed as a two-family dwelling in accordance with section article V (site plan) of this chapter shall be altered to include any additional dwelling unit within five (5) years from the date of issuance of the building permit. Any building reviewed as a two-family dwelling in accordance

with article V (site plan) of this chapter or not reviewed under article V, which is altered or enlarged to include any additional dwelling unit after this five-year period, shall be reviewed as a pursuant to article V of this chapter.

2. Multifamily dwellings, provided that any alteration of a structure in residential use on December 2, 1987:
 - a. Shall not result in the creation of any additional dwelling unit of less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic; and
 - b. Shall not result in any existing dwelling unit being reduced in size to less than one thousand (1,000) square feet of floor area, exclusive of common areas and storage in basement and attic;
 - c. Parking shall be provided as required by division 20 of this article;
 - d. No open outside stairways or fire escapes above the ground floor shall be constructed;
 - e. A below-grade dwelling unit shall be permitted only if access is provided directly to the outside of the building;
 - f. Such development shall be subject to article V (site plan) of this chapter for site plan review and approval.
3. Handicapped family unit, as defined in section 14-47 (definitions) of this article, for handicapped persons plus staff.
4. Single-family, multiple-component manufactured housing, as defined in section 14-47 (definitions) of this article, except in a National Register Historic District.

5. Single-family, single-component manufactured housing, as defined in section 14-47 (definitions) of this article, on individual lots under separate and distinct ownership, except in a National Register Historic District, provided that each unit meets the performance standards listed below:
- a. More than half of the roof area of each unit shall be a double pitched Class C rated shingled roof with a minimum pitch of 3/12.
 - b. Each unit shall be installed on a full foundation or a concrete frost wall in accordance with all applicable codes and regulations. Any hitch or tow bar shall be removed from the unit after it is placed on its foundation or frost wall. In the case of a frost wall, vermin proof skirting shall be installed on all sides of the unit. The skirting may consist of either (a) concrete or masonry block or (b) manufactured skirting. If concrete or masonry block skirting is installed, either the exterior siding of the unit shall extend within one (1) foot of grade or decorative masonry siding shall be applied. If manufactured skirting material is installed, the color shall be identical to or compatible with the exterior siding of the unit.
 - c. Each unit shall have exterior siding that is residential in appearance, including but not limited to natural materials such as wood clapboards or shakes, or exterior materials which simulate wood. Clapboards or simulated clapboards shall have less than eight (8) inches of exposure and sheet metal type siding shall not be permitted.
 - d. Each unit shall have the long side of the unit parallel to the street line where the required street frontage is met.
 - e. Each unit shall be provided with at least two (2) trees meeting the city's arboricultural

specifications and which are clearly visible from the street line and are located so as to visually widen the narrow dimension or proportion of the unit.

- f. Each unit shall have all fuel oil supply systems constructed and installed within the foundation wall or underground in accordance with all applicable codes and regulations.
- g. No unit shall be horizontally or vertically attached to any other unit or other structure, provided however, that this provision shall not be deemed to prohibit building additions, such as porches, garages, room additions or solar greenhouses.

(b) *Other:*

- 1. Lodging house;
- 2. Cemeteries;
- 3. Parks, and other active and passive noncommercial recreation spaces;
- 4. Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory use) of this article;
- 5. Home occupation subject to the provisions of section 14-410 (home occupation) of this article;
- 6. Municipal uses, excluding those specifically set forth in section 14-137 of this division;
- 7. Special needs independent living units, provided that a building housing special needs independent living units shall not house other types of residential or other permitted uses. The owner of a special needs independent living unit building shall file in the Cumberland County Registry of Deeds a statement under oath that the building is a

special needs independent living unit building and that any future change of use to a permitted residential use shall require a change in use review by the City of Portland and a decrease in the number of units in the building in accordance with the Portland City Code, chapter 14. The owner shall file proof of such recording with the building inspections division prior to the issuance of any certificates of occupancy for the new uses.

8. Conversion of a structure existing on March 3, 1997, into a bed and breakfast with up to four (4) guest rooms, subject to the standards of article V (site plan).

(Ord. No. 538-84, 5-7-84; Ord. No. 267-84, § 1, 12-17-84; Ord. No. 67-87, § 4, 11-2-87; Ord. No. 85-88, §§ 1, 2, 7-19-88; Ord. No. 86A-89, § 7, 8-21-89; Ord. No. 95-89, § 2, 9-6-89; Ord. No. 279-90, § 2, 3-19-90; Ord. No. 33-91, § 8, 1-23-91; Ord. No. 33A-91, § 6, 4-17-91; Ord. No. 125-97, § 2, 3-3-97; Ord. No. 278-09/10, 7-19-10)

***Editor's note--**Ord. No. 85-88, §§ 1, 2, adopted July 19, 1988, amended § 14-136 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88. Ord. No. 95-89, § 2, adopted Sept. 6, 1989, amended subsection (1)a of § 14-136 to read as set out and, as amended, further ordained "that the prohibition upon unit additions contained in this ordinance shall not apply where a building permit has been issued. Additions proposed to such buildings shall require major site plan review and all other reviews required by this chapter."

Sec. 14-137. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(a) *Residential:*

1. Reserved.
2. Sheltered care group homes, as defined in section 14-47 of this article, for up to twelve (12) individuals, plus staff, and serving a primary population which is not handicapped persons, parolees, persons involved in correctional

prerelease programs, or current illegal drug users, provided that:

- a. A sheltered care group home shall not be located within five hundred (500) feet of another, as measured along street lines to the respective property lines.
- b. There shall be no open outside stairways or fire escapes above the ground floor.
- c. The facility shall make provision for adequate on-site staffing and supervision of residents in accordance with applicable state licensing requirements. If a facility is not licensed by the state, there shall be a minimum of one (1) staff person for every ten (10) residents or fraction thereof.

The board of appeals may impose conditions upon a conditional use permit concerning the creation or operation of a sheltered care group home including but not limited to the following: site and building maintenance; lighting, fencing, and other appropriate security measures; screening and buffering of parking areas; compatibility of any additions or alterations with the existing residential structure; compatibility of new structures with the architectural character of the surrounding area; and limitation on the duration of the sheltered care group home permit.

3. Conversion of a structure existing on March 3, 1997, into a bed and breakfast with five (5) to nine (9) guest rooms.
- (b) *Institutional*: Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:
1. Elementary, middle, and secondary school;
 2. a. Long-term and extended care facilities;

- b. Intermediate care facility for thirteen (13) or more persons;
3. Intermediate care facility;
4. Places of assembly;
5. Hospital;
6. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

- a. In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and
- b. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; and
- c. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative; and
- d. Article V (site plan) sections 14-522 and 14-523 notwithstanding, in the case of places of assembly (including places of religious assembly, community halls and private club or fraternal organizations), the proposed use shall be subject to the requirements of article V (site plan) of this chapter; and

e. In the case of community halls:

- i. The structure was in existence as of January 4, 2010.
- ii. The structure was built for institutional or other non-residential uses;
- iii. The structure is operated by, or operated subject to the control of, a not-for-profit entity in accordance with its not-for-profit purposes; and
- iv. A parking management plan is submitted for review and approval by the planning board; and

f. In the case of private club or fraternal organizations: any such establishment serving alcoholic beverages or in possession of a license for serving alcoholic beverages shall be located on a large lot, as specified in the minimum lot size provisions of this section.

(c) Other:

1. Utility substations, such as water and sewage pumping stations and standpipes, electric power substations, transformer stations, and telephone electronic equipment enclosures and other similar structures, provided that such uses are suitably screened and landscaped so as to ensure compatibility with the surrounding neighborhood;
2. Professional offices of a member of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians.

The illustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance

agent.

Professional office uses shall meet the following standards in addition to provisions of section 14-474, except that subsections a., b., c. and d. of this section 14-137(c)2 shall not apply to the use of any building not designed or constructed for residential use, which was not in actual use as a residence on April 18, 1984, or thereafter.

- a. A professional office shall not be located within five hundred (500) feet of another as measured along the street line to the respective property lines.
- b. A building with one (1) or more professional offices shall have at least fifty (50) percent of the total floor area of the building devoted to residential uses.
- c. The total number of individuals working in a building of professional offices shall not exceed the equivalent of four (4) full-time employees.
- d. Any additions or exterior alterations shall be compatible with the architecture of the building and maintain the residential appearance of the building. Construction of a new building shall be compatible with the architectural character of the surrounding area.
- e. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.
- f. Off-street parking is required as provided in division 20 (off-street parking) of this article.

3. Chancellery.

4. Nursery school and kindergarten.
5. Off-street parking for passenger cars for uses permitted in the R-6 zone.
6. Day care facilities or home babysitting services not permitted as a home occupation under section 14-410, subject to the following Conditions:
 - a. The facility shall be located in a structure in which there is one (1) or more occupied residential units or in an existing accessory structure, unless the facility is located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use or in a nonresidential structure accessory to the principal nonresidential use.
 - b. The maximum capacity shall be twelve (12) children for facilities located in residential or existing structures accessory thereto, unless the additional standards in subsection v. are met. There shall be no maximum limit on the number of children in a facility located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use, or in a nonresidential structure accessory thereto, provided that any such structure that serves more than twelve (12) children shall be subject to review under article V of this chapter.
 - c. Outdoor play areas shall be screened and buffered from surrounding residences with landscaping and/or fencing to minimize visual and noise impacts.
 - d. Solid waste shall be stored in covered containers. Such containers shall be screened on all four (4) sides.

- e. Day care facilities, nursery schools and kindergartens located either in structures that have been in residential use within the past five (5) years or in existing accessory structures and that serve between thirteen (13) and twenty-four (24) children shall meet the following additional standards:
- i. The facility shall provide a minimum of seventy-five (75) square feet of outdoor play area per child;
 - ii. The play area shall be located in the side and rear yards only and shall not be located in front yards;
 - iii. Outside play areas shall be separated from abutting properties by a fence at least forty-eight (48) inches in height;
 - iv. A ten-foot wide landscaped buffer shall be required outside of the fenced play area, and shall be established in accordance with the landscaping standards of the City's Technical Standards and Guidelines;
 - v. The minimum lot size for a day care facility located in a residential or existing accessory structure and serving more than twelve (12) children shall be twenty thousand (20,000) square feet;
 - vi. *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
 - vii. The maximum number of children in a day care facility located in a residential or existing accessory structure shall be twenty-four (24); and
 - viii. Any additions or exterior alterations such as facade materials, building form,

roof pitch, and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the residential appearance of the building.

7. Community Center, as defined in Section 14-17.
8. Temporary wind anemometer towers, as defined in Sec 14-47, are permitted provided the following standards are met in addition to Sec 14-430:
 - a. Towers may be installed for the purpose of wind data collection for no more than two (2) years after the issuance of a Certificate of Occupancy for the tower. At the conclusion of the aforementioned two (2) years, the tower must be dismantled and removed from the site within sixty (60) days; and
 - b. Towers shall be constructed according to plans and specifications stamped by a licensed professional engineer, which shall be provided to the Board of Appeals with the application; and
 - c. Towers shall be set back from habitable buildings by a distance equal to 1.1 times the tower height; and
 - d. The applicant shall provide a safety report prepared and stamped by a licensed professional engineer to the Board of Appeals with their application for conditional use, which demonstrates how the proposed temporary wind anemometer tower is safe in terms of strength, stability, security, grounding, icing impacts and maintenance; and
 - e. The applicant shall provide evidence of commercial general liability insurance, such insurance to be satisfactory to

Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the temporary wind anemometer tower; and

- f. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and
- g. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related meteorological data, but shall not be used for any other purpose; and
- h. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, of the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.

(Ord. No. 538-84, 5-7-84; Ord. No. 267-84, § 2, 12-17-84; Ord. No. 76-85, § 8, 7-1-85; Ord. No. 85-88, § 3, 7-19-88; Ord. No. 235-91, § 13, 2-4-91; Ord. No. 118-93, § 11, 10-18-93; Ord. No. 133-96, § 7, 11-18-96; ; Ord. No. 154-96, § 11, 12-16-96; Ord. No. 125-97, § 3, 3-3-97; Ord. No. 232-99, §2, 3-15-99; Ord. No. 77-02/03, § 2, 10-21-02; Ord. No. 29-09/10, 8-3-09 emergency passage; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 240-09/10, 6-21-10; Ord. No. 9 10/11, 8-2-10)

Sec. 14-138. Prohibited uses.

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

(Ord. No. 538-84, 5-7-84)

Sec. 14-139. Dimensional requirements.

(1) In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the R-6 zone shall meet or exceed the following minimum requirements:

(a) Minimum lot size:

1. Residential: Forty-five hundred (4,500) square feet, except as provided for lots of record in section 14-433 (lots of record and accessory structure setbacks for existing buildings) of this article.
2. Reserved.
3. Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.
4. Intermediate care facility: One (1) acre.
5. School: Thirty thousand (30,000) square feet.
6. Places of assembly;

Large	30,000 sq. ft.
Medium	15,000 sq. ft.
Small	7,500 sq. ft.

7. Municipal use: Forty-five hundred (4,500) square feet.
 8. Hospital: Two (2) acres.
 9. All other uses: Forty-five hundred (4,500) square feet.
 10. Lodging house: Four thousand five hundred (4,500) square feet.
- (b) 1. Minimum area per dwelling unit: One thousand (1,000) square feet per dwelling unit; and in the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units. This requirement may be reduced by up to twenty

(20) percent for a special needs independent living unit.

2. *Minimum rooming unit areas for lodging houses:* Two hundred (200) square feet of combined rooming unit and common area for each rooming unit. Each individual rooming unit shall be a minimum of eighty (80) square feet.
3. *Minimum land area per lodging house rooming unit:* Two hundred fifty (250) square feet.
4. *Minimum land area per intermediate care facility resident:* Eight thousand (8,000) square feet for the first thirty-five (35) residents, plus three hundred fifty (350) square feet for each additional resident.

(c) *Minimum street frontage:* Forty (40) feet.

(d) *Minimum yard dimensions:* (Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. *Front yard:*

Principal or accessory structures: Ten (10) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.

2. *Rear yard:*

- a. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.
- b. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

- c. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

3. Side yard:

- a. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet:

Height of Structure	Required Side Yard
1 story	10 feet
2 stories	10 feet
3 stories	10 feet
4 stories	12 feet
5 stories	15 feet

The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than ten (10) feet.

- b. Detached accessory structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.
- c. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

4. Side yard on side streets:

- a. Principal or accessory structures: Ten (10) feet.

(e) *Maximum lot coverage:* Forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units; fifty (50) percent for lots which contain fewer than twenty (20) dwelling units.

(f) *Minimum lot width:* Fifty (50) feet.

(g) *Maximum structure height:*

Principal and attached accessory structure: Forty-five (45) feet.

Accessory detached structure: Eighteen (18) feet.

(h) *Open space ratio:*

1. *Uses other than bed and breakfast.* Twenty (20) percent for those lots which contain fewer than twenty (20) dwelling units; thirty (30) percent for those lots which contain twenty (20) or more dwelling units. This area shall not include parking areas or other impervious surfaces as defined in section 14-47.

2. *Bed and breakfasts.* A bed and breakfast that is located on a lot that has at least twenty (20) percent open space on the date of filing of the application for site plan shall not reduce the open space on the lot below twenty (20) percent of the lot area. A bed and breakfast located on a lot that does not have at least twenty (20) percent open space on the date of filing of the application for site plan review, and that is legally nonconforming as to the open space requirement of this section, shall not reduce the open space on the lot below the level in existence on the date of the application for site plan review. Open space areas shall not include parking areas or other impervious surface areas as defined in section 14-47.

(i) A below-grade dwelling unit shall be permitted only if the primary access for the dwelling unit is provided directly to the outside of the building.

- (j) *Minimum gross floor area for bed and breakfasts:* Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.
- (k) *Maximum floor area for places of assembly on a collector or arterial road:*

Large	Not limited
Medium	4,500 sq. ft.
Small	2,250 sq. ft.

- (l) *Maximum floor area for places of assembly not on a collector or arterial road:*

Large	4,500 sq. ft.
Medium	2,250 sq. ft.
Small	1,125 sq. ft.

(2) *Small residential lot development:* Residential uses on small, vacant lots located in the R-6 are subject to site plan review and may use the dimensional requirements below if all of the following conditions are met:

The lot is:

Vacant or is used exclusively for parking or contains structure not used for residential purposes as of January 1, 2005; and the lot existed as of January 1, 2005.

- (a) *Minimum lot size:* None
- (b) *Maximum lot size:* Ten thousand (10,000) square feet.
- (c) *Yard dimensions:*
1. *Front yard:*
No more than ten (10) feet.
 2. *Rear yard:*

None, except that rear yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the abutting buildings and proposed buildings divided by five (5), whichever is greater; and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line.

3. *Side yard:*

None, except that side yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the existing buildings and proposed buildings divided by five (5), whichever is greater and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; Provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line. On a corner lot no side yard is required on that side of the lot which abuts any street. A principal structure on a corner lot shall not be more than ten (10) feet from the street.

- (d) *Minimum principal structure height:* Two (2) stories of living space above the grade of the adjacent street frontage, except for porches, entryways, attached garages and accessory detached structures.
- (e) *Maximum principal structure height:* Forty five (45) feet.
- (f) *Open space requirement:* All lots used for residential purposes shall provide an attached exterior deck, porch,

patio or balcony for each dwelling unit, except where a designated open space equal to ten (10) percent or more of the lot area is located on site and maintained as open space, then the number of exterior decks, porches, patios or balconies may be reduced by up to fifty (50) percent. The designated open space, if provided, shall have a minimum width and length of at least fifteen (15) feet, a slope of no greater than ten (10) percent and shall be used exclusively as recreational open space i.e. it shall not be used for vehicular circulation, parking, etc.. All required decks, porches, patios or balconies shall meet the requirements of the Planning and Development Design Manual.

- (g) *Minimum lot width:* None.
- (h) *Minimum land area per dwelling:* Seven hundred and twenty-five (725) square feet.

(Ord. No. 538-84, 5-7-84; Ord. No. 634-86, § 1, 7-7-86; Ord. No. 264-87, § 1, 3-16-87; Ord. No. 85-88, § 4, 7-19-88; Ord. No. 230-90, § 1, 3-5-90; Ord. No. 33-91, § 9, 1-23-91; Ord. No. 235-91, § 14, 2-4-91; Ord. No. 33A-91, 4-17-91; Ord. No. 118-93, § 12, 10-18-93; Ord. No. 154-96, § 12, 12-16-96; Ord. No. 125-97, § 4, 3-3-97; Ord. No. 245-97, §§ 1, 2, 4-9-97; Ord. No. 232-99, § 3, 3-15-99; Ord. No. 78-03/04, 10-20-03; Ord. No. 21-04/05, 8-2-04, Ord. No. 145-04/05, 2-23-05; Ord. No. 254-05/06, 6-5-06; Ord. No. 131-08/09, 12-15-08; Ord. No. 127-09/10, 1-4-10 emergency passage)

*Editor's note--Ord. No. 85-88, § 4, adopted July 19, 1988, amended § 14-139 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88.

Sec. 14-140. Other requirements.

- (a) *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
- (b) *Storage of vehicles:* Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.
- (c) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.

(d) *Small residential lot development* shall conform to the site plan standards of §14-526.

(Ord. No. 538-84, 5-7-84; Ord. No. 85-88, § 5, 7-19-88; Ord. No. 15-92, § 11, 6-15-92; Ord. No. 37-98, § 1, 5-4-98; formerly §14-145--renumbered per Ord. No. 122, 12-20-99; Ord. No. 78-03/04, 10-20-03; Ord. No. 254-05/06, 6-5-06; Ord. No. 240-09/10, 6-21-10)

*Editor's note--Ord. No. 85-88, § 5, adopted July 19, 1988, amended § 14-145(a) to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88.

DIVISION 7.01. R-7 COMPACT URBAN RESIDENTIAL OVERLAY ZONE

Section 14-141. Purpose.

The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.

Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood.

(Ord. No. 122, 12-20-99)

Sec. 14-142. Permitted Uses.

Permitted uses in the R-7 Compact Urban Residential Overlay Zone, shall be the uses permitted in the R-6 Zone, except that:

(a) Residential uses shall comply with the following dimensional requirements:

1. Minimum Lot Size: None
2. Minimum Frontage: None
3. Minimum Yard Dimensions:
 - a. Front yard: None
 - b. Rear and side yard: Five (5) feet.
 - c. Side yard on side street: None
4. Maximum Lot Coverage: 100%
5. Maximum Residential Density: Four hundred thirty five (435) square feet of land area per dwelling unit is required.
6. Maximum Building Height: Fifty (50) Feet

(b) Off-street parking is required as provided in division 20 (off-street parking) of this article;

(c) Residential development in the R-7 Zone shall be reviewed by the Planning Board for compliance with Article IV, Subdivisions, and Article V, Site Plan;

(d) Any new dwelling unit constructed in the R-7 Zone shall contain a minimum of 400 square feet of habitable floor area;

(e) All other uses in the R-7 Zone shall observe the requirements of the R-6 Zone.

(Ord. No. 122, 12-20-99; Ord. No. 84-08/09, 10-20-08; Ord. No. 240-09/10, 6-21-10)

Sec. 14-143. Design Standards.

Residential development in the R-7 Zone shall be reviewed by the

Planning Board under Article V, Site Plan. Such development shall also comply with the following development standards. The general intent of these development standards is to achieve an attractive and comfortable city neighborhood environment. Varied and human-scaled building facades are key to making a place "pedestrian-oriented." Building designs should provide a high level of visual interest, without creating a chaotic image. Residences should include design elements that enhance the streetscape and address the street.

- a. Porches and bays should face the street.
- b. Primary ground floor residential entries to multi-family buildings must orient to street, not to interior blocks or parking lots. Secondary and upper-floor entries from the interior of a block are acceptable. The front door to single-family homes, duplexes, and townhouses must be visible from the street.
- c. The design approach shall provide an architecture that will be a visible and permanent expression of the character of the neighborhood;
- d. The facade shall be varied and articulated to provide visual interest to pedestrians;
- e. Reinforce the public realm of the public open space, sidewalks and streets through appropriately scaled entries, porches, fenestration, landscaping, and architectural details;
- f. Provide visual and acoustical privacy between units;
- g. Maximize natural light and ventilation within units.

(Ord. No. 122, 12-20-99)

Sec. 14-144. Reserved.

Sec. 14-145. Reserved.

(Ord. No. 122, 12-20-99)

DIVISION 7.1. IR-1 ISLAND RESIDENTIAL ZONE

Sec. 14-145.1. Purpose.

The purpose of the IR-1 island residential zone is to provide for

Shukria Wiar - FW: 66/68 High Street Proposal

From: Todd Alexander <todd@chomhousing.org>
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>
Date: 9/16/2010 9:53 AM
Subject: FW: 66/68 High Street Proposal

letter from abutter for the public record.

Todd M. Alexander
Community Housing of Maine, Inc
207 749-7257 | todd@chomhousing.org

From: Ellen D. Murphy [radochas@gmail.com]
Sent: Saturday, August 21, 2010 6:52 PM
To: Todd Alexander
Subject: 66/68 High Street Proposal

Dear Todd Alexander,

I attended the community meeting that CHOM held regarding your proposal for site development on High and Danforth Streets in Portland.

Clearly, your proposal has incorporated many elements that make it attractive to the City, and you are now taking steps to make it attractive to us, its neighbors, as well. I was impressed with the design and your efforts to make it comport with the existing structure, and to contain it within the footprint of the original Children's Hospital. I have been concerned about the loss of what little open green space we have in the neighborhood; your effort to keep the building well back from the perimeter edge of the lot will help ease that.

One thing that will be needed, I think, is a focus on traffic at that site. One of the people on your team said that, in your experience, your projects tend to attract large numbers of single mothers with children. I have a great concern for the speed and recklessness with which traffic flows up High Street; it's like a highway sometimes. The addition of mothers and kids and strollers and bikes into that mix really frightens me. (It's difficult enough for adults of reasonable mobility to cross at times; everyone I know in the neighborhood has a "near miss" story).

Maybe one thing you might want to think about is what "traffic calming" measures might be associated with your project: additional stoplights; for instance, longer timing of those that are there; installation of easily visible timers on pedestrian signals; narrowing of High Street; lowering the speed limit with enhanced enforcement; installation of median strips; etc. Your development would be an ideal opportunity for taking these measures; it could almost be a demonstration project. I'm sure Dave Marshall would be a big supporter.

I know I speak heresy to drivers, and the hue and cry against and effort to impede speed would be mighty! However, the prospect of endangering kids should make even the most devoted speed demon think twice.

Sincerely,

Ellen D. Murphy
88 Park Street, #45



September 15, 2010

City of Portland Planning Dept.
Attn: Shukria Wiar
389 Congress St.
Portland, ME 04101

Re: 66-68 High St.

To Whom It May Concern:

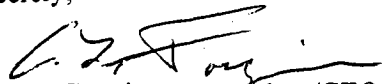
This is a letter in support of Community Housing of Maine's proposal to develop workforce/affordable housing at 66-68 High Street. We are impressed with the proposal's sensitivity to the historic relevance of the site and to the needs of our neighborhood community. We are particularly enthusiastic with the proposed development of 35 units of workforce housing.

Seventy Five State Street is a 152 unit assisted and independent living community bounded by State, Gray, Park and Danforth Streets. We have provided housing and services for Portland's elders since 1854. We employ 127 local people who work in healthcare, dining services and support positions. Nearly one third of our employees are able to walk to work. It is very important to our workforce to be able to find affordable housing in the West End.

In 2007, working with the City's Planning Department, we completed a total renovation of our ca. 1820 Cutter House. We believe that Community Housing of Maine's plans to construct housing that honors the scale and setback of the former Mussey Mansion would be an appropriate addition to our neighborhood.

Upon request, I would be pleased to answer any questions regarding Seventy Five State Street's support of this proposal.

Sincerely,


Anthony Forgione, president/CEO

C: Hall Thompson, Chairman of the Board

J. B. BROWN & SONS
36 Danforth Street
P.O. Box 207
Portland, Maine 04112-0207
Phone 207-774-5908
Fax 207-774-0898

September 15, 2010

Re: Community Housing of Maine's development project at 66-68 High Street

Dear Planning Board Members,

I am submitting this letter in support of Community Housing of Maine's (CHOM) request for a zone map amendment relating to its development project at 66-68 High Street.

J.B. Brown & Sons owns and operates commercial properties within close proximity to the CHOM development, including over 130,000sf of office, service, and retail space along with over 350 parking spaces in the Danforth, Pleasant & York Street area. Our corporate office is located at 36 Danforth, one block from the corner of High and Danforth streets.

I have met with representatives from CHOM to review their concept plans and discuss the zone map amendment application. I am supportive of their efforts on a number of levels, specifically;

- o CHOM's investment at 66-68 High Street will contribute to the on-going revitalization of lower Danforth Street. The recent addition of new businesses; Cranberry Island Kitchen, liveital, El Rayo, Portland Velocipede, Colby Engineering, to name a few, along with the new multifamily housing completed at 53 Danforth Street have all had a positive impact on the neighborhood. I believe CHOM's project will complement this redevelopment activity and continue to reconnect the west end and downtown.
- o CHOM's development will provide quality affordable housing on the peninsula that will improve Portland's overall livability, particularly for working individuals and families of low and moderate income levels.
- o CHOM's property will convert a tax-exempt property to private ownership and generate new tax revenue for the City. In addition, CHOM's estimates its total development costs will exceed \$8,000,000, bringing a valued investment and construction-related jobs to Portland at a time of economic uncertainty.
- o CHOM's proposal is in keeping with the historic development patterns on Danforth and High streets. I am particularly pleased that CHOM has chosen to construct the new addition in a similar size and scale to the mansion that once occupied the site and the historic properties that are common in this neighborhood.

Finally, I feel it is compelling for the City to utilize the R7 zone map amendment process for this project. In the past, the City has commonly resorted to conditional zoning for these types of developments because an alternative and appropriate zone did not exist to accomplish the necessary density to justify the construction of affordable housing. This was remedied with the creation of the R-7 zone. To consider a conditional zoning for this project would unnecessarily create a process that is highly cumbersome and, ultimately, serves as a significant disincentive for developers. The time, cost and uncertainty associated with conditional zoning often generates too much risk. The R-7 zone was created to address this very problem and encourage people to build more multifamily housing in appropriate locations on the peninsula. In my view, CHOM's proposal is a very good example of how the R7 can actually stimulate new housing investment and development.

In closing, I encourage the city to use the R7 zoning process to achieve its policy goal of creating quality affordable housing on the peninsula and further the redevelopment of an important part of downtown Portland.

Respectfully,

A handwritten signature in black ink that reads "Vincent P. Veroneau". The signature is written in a cursive style with a long horizontal line extending to the right.

Vincent P. Veroneau
President

Shukria Wiar - 66-68 High St.

From: "Heather Free" <HFree@pslservices.org>
To: <shukriaw@portlandmaine.gov>
Date: 9/14/2010 3:44 PM
Subject: 66-68 High St.

Dear Planning Board Members,

I am submitting this letter in support of Community Housing of Maine's request for a zone map amendment for 66-68 High Street. It is likely that I will be unable to attend the scheduled workshop and wish to have this letter serve in place of my participation in the meeting.

Peregrine Corporation is the owner of two apartment buildings in the West End; 11 and 12 Nye Street. Our properties are located around the corner from 66-68 High, where CHOM is proposing to build its 35-unit apartment complex. There are a number of things about CHOM's proposal that I support; first, I welcome the addition of more affordable housing in Portland. Peregrine owns a number of apartment complexes that are occupied by residents on the lower end of the income scale. We clearly see that there is a shortage of this type of good affordable housing that is located downtown. Second, I like that CHOM has designed a project that fits well with the neighborhood in terms of its height and size—and has creatively come up with a way to hide the parking under the building. Third, I am happy to see that the existing building will be restored. Too often older properties that are vacant end up being demolished to make way for new developments. I like that CHOM has figured out a way to find a new use for this historic building. Finally, I am hopeful that CHOM's project leads to additional redevelopment in this area that caters to pedestrians and people who use public transportation. Our residents tend to either walk or use the METRO bus system for their day-to-day activities (jobs, school, shopping, entertainment, etc....). The intersection of High and Danforth tends to be extremely busy and not very pedestrian friendly. With CHOM's development and the additional residents it will bring to the neighborhood, perhaps the city will be more inclined to improve the pedestrian connections between downtown and the west end, as well as the bus stops in this neighborhood.

Thank you for the opportunity to comment on this project. I fully support CHOM's efforts and encourage the Planning Board to approve the zone change that CHOM has requested.

Sincerely,
Heather Free

Heather Free
STRIVE U Student Life Coordinator
12 Nye Street #1
Portland, ME 04101
(207) 899-0035
Fax: (207) 772-6655
hfree@pslservices.org
www.pslstrive.org

Shukria Wiar - letter of support

From: "Mary Folsom" <Mary.Folsom@goodwillnne.org>
To: <shukriaw@portlandmaine.gov>
Date: 9/14/2010 1:05 PM
Subject: letter of support
CC: "Alexander, Todd" <talexander@eaglepointco.com>

Dear Planning Board Members,

I am writing the Planning Board in support of Community Housing of Maine's request for a zone map amendment for 66-68 High Street.

Goodwill Development Corporation owns a multifamily housing property at 79 High Street, which is located on the same city block as CHOM's proposed development. I have met with members of CHOM's development staff to review their plans and discuss their zone map amendment application. In general, I believe CHOM's development will have a positive impact on the neighborhood and help re-establish this section of High Street as primarily a multifamily residential area. Furthermore, I like CHOM's design plans to restore the existing building and construct a new building that is in keeping with the neighboring historic properties.

I also support CHOM's decision to provide affordable rental housing. Our parent organization, Goodwill of Northern New England, has a long history of serving needy individuals and families in the greater Portland area. We own and operate a number of residential properties that provide housing for people of low incomes and special needs. We can attest to the significant demand for the type of housing that CHOM will create. We can also attest to the fact that this type of housing works best in downtown locations, in which the residents will benefit from being close to the services (such as public transportation) that they need and rely on.

I understand that this project requires a zone map change from R6 to R7. I believe the proposed development is appropriate for the neighborhood and an important project for the City of Portland. I support rezoning 66-68 High Street from R6 to R7 to allow CHOM's project to move forward.

Sincerely,

Mary Folsom
Project Manager
Goodwill Development Corporation
353 Cumberland Avenue
Portland, ME 04101
207-774-6323, ext. 2302
Fax: 207-761-8460

Shukria Wiar - Support for CHOM's proposal - High and Danforth

From: "josh@northlandus.com" <josh@northlandus.com>
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>, Kate <kate@al...
Date: 8/30/2010 9:30 AM
Subject: Support for CHOM's proposal - High and Danforth

To the members of the Portland Planning Staff,

We are writing this letter in support of Community Housing of Maine's zone map amendment application for their project at 66/68 High Street.

We recently met with Todd Alexander to discuss CHOM's development plans for this property. We currently are renters in downtown Portland and within walking distance of Danforth and High streets. We often run by the former USM site and think about its future reuse. Josh is in real estate development, and had looked at this project, and saw no feasible (i.e. financeable) market rate housing or commercial development even taking into account the financial benefit of the state and federal historic tax credits.

During our discussion with Todd, we were pleased to see that CHOM is proposing a modest, infill housing project. We think this will benefit the neighborhood in a number of ways; it will provide much-needed workforce housing on the peninsula, it will help fill in an important gap between the downtown and the west end, it will restore an underutilized historic property on High Street and it will return a tax-exempt property to the city's tax rolls. We also like that the project encourages in-town living and incorporates green design standards.

We're particularly happy to see that CHOM is proposing a project that is of modest size and in keeping with the historic nature of this neighborhood. The corner of Danforth and High is an important transition point from downtown into the west end. Whatever is built here should reflect that transition from a mixed use business area into a more residential neighborhood. CHOM's proposal appears to be mindful of that fact.

We understand that the R7 zone change is an important first step in allowing this project to go forward. We also understand that this zone overlay was created to encourage exactly these types of housing developments. We think that CHOM's proposal for 66/68 High Street is a responsible application of the R7 zone and we fully support CHOM's application.

Sincerely,
Josh Benthien and Kate Dunleavy
residents of Baxter Place (apt 403)

Josh Benthien
Partner
Northland Enterprises
o: 207.400.3454
c: 207.321.9741

Shukria Wiar - CHOM Project

From: William Renner <william.renner@gmail.com>
To: <shukriaw@portlandmaine.gov>
Date: 8/29/2010 5:56 PM
Subject: CHOM Project

I am currently a resident at 6 South St, just a short walk from CHOM's project site.

I fully support what CHOM is setting out to do. There is significant demand for workforce housing in Portland, ME and the more we can develop infill sites (rather than add to the growing sprawl surrounding Portland) to meet that demand the better off we will be.

Currently High Street acts as too much of a barrier between downtown and the beginning of the west end. To change this, we need to encourage projects like what CHOM is proposing which in time will attract additional mixes of uses to serve High Street residents.

Furthermore, from what I know about the project, CHOM's design pays significant respect to what used to exist on the site and they plan to pursue LEED certification which shows a distinct commitment to environmental responsibility.

The immediate neighborhood, from the beginning of Pleasant Street, up to High Street and beyond, seems to be heading in the right direction. Owners are taking better care of their properties and commercial enterprises are starting to appear. CHOM's project is another step in the right direction and I hope I get to see the finished project.

Best,

Will

Shukria Wiar, Planner
Planning division,
City Hall, 4th floor
389 Congress St.
Portland, ME 04101

Ms. Wiar:

We own a condo at 101 Danforth st. We don't have any objection to the development of the USM Building other than:

1. The addition should look like the other buildings in the area (historic, that is).
2. The Chimney at the rear of the property is falling apart and our parking space is just below it. We are worried that the chimney will fall on our car. If you look at it you can see that the top of it is broken in many pieces and some have fallen already. I am sure that the new development will not use the chimney or the heating plant and it should be taken down.

Thank you for your time!



Al Flynn
43 Helen Drive
Hanson, MA 02341
flynn.ae@gmail.com

(101 Danforth st.
Unit 1
{Portland, ME 04101})

6 Stratton Place
Portland, Maine 04101
August 15, 2010

Dept of Planning and Development
389 Congress St
Portland, Maine 04101

While I am not
opposed to high quality
housing development, I
am opposed to the
diminution of green space
in the neighborhood of
66-68 High Street.

Since I am unable
to attend the meeting
regarding this issue,
(on Aug. 19, 2010) I would
know that I oppose
the development on this
basis.

Yours truly,
Eusebia Brown

Penny Littell - FW: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

From: Nick Mavodones <NickM@cascobaylines.com>
To: "pl@portlandmaine.gov" <pl@portlandmaine.gov>, Joe Gray <JEG@portlandm...>
Date: 8/10/2010 11:11 AM
Subject: FW: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

FYI—

Nick

From: Karen Dowell [mailto:karen.dowell@maine.edu]
Sent: Tuesday, August 10, 2010 10:19 AM
To: Nick Mavodones
Subject: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

Dear Mayor Mavodones:

I am writing to ask for your assistance in urging the planning committee to reject a recent zoning map amendment requested by Community Housing of Maine (CHOM). You can read more about this proposal here: <http://www.portlandmaine.gov/planning/pbreport6668highstreet.pdf>

I own a condominium in the vicinity of this parcel and believe that this proposed zoning change will directly affect my quality of life as a Portland resident and potentially erode the value of my property. Although I was unable to attend the planning committee workshop held on July 27, I have reviewed the documents and memorandums circulated by the planning division office and I am very concerned about this proposal for several reasons.

The purpose of this request is to allow CHOM to increase the allowed density and lot coverage, and to decrease the number of required parking spaces. The location at 66-68 High Street is in an already densely populated, high traffic area. Increasing the density of residents while decreasing the number of parking spaces will cause further congestion, and make parking on the street virtually impossible for existing residents. The potential increase in on-street parking demand is not adequately addressed in the CHOM proposal. (Just because you want people to take public transportation doesn't mean they will.) In addition, the one-way traffic on High Street is heavy and indifferent to pedestrians. It is not safe for young children now. Changing the zoning on this corner of High and Danforth will make it even less so. If CHOM's objective is to create affordable family housing, this is not the best in-city location for their development.

The sustainable housing document (Portland's Future: Building on Neighborhood Stability and Integrity) cited heavily in the proposal was adopted in 2002, long before the real estate boom and bust of the last decade. Over the past several years, many houses and office spaces were converted to condos and high-rise developments were erected, resulting in a glut of housing in the downtown area. Now, you can't walk the streets of Portland without seeing numerous for sale or for rent signs. Should we not, as a city, focus on making existing housing affordable before creating more housing developments?

I should add that this same document aims to “protect safety and stability of Portland neighborhoods by enforcing the approved density regulations as prescribed by the Portland Zoning Ordinance” (section 3.b.2); “adopt neighborhood design guidelines as part of Portland’s land use code for new housing and substantial rehabilitation that are compatible with the character and patterns of development found in each neighborhood” (section 3.c.2); and “promote uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties” (section 14-141). One could argue that CHOM’s proposed zone change is in direct violation of several objectives specified in the very document they use to support their case.

Contrary to the proposal’s claims that this location is conveniently located near shopping, daycare, and employment opportunities, the closest grocery store to this potential development site is not within walking distance. The shopping in this area is targeted more toward tourists, than residential families. There is no evidence in the report that the job market in this downtown area is particularly strong. In addition, it is questionable as to whether families interested in this type of affordable housing could afford the daycare facilities in this area. And finally, there are other locations near the downtown area, such as on Marginal Way, that would be better suited for R7 zoned housing.

This neighborhood, in general, is wonderfully diverse. Perhaps because of that, it has a relatively high crime and violence rate for the West End. It is not safe to walk these streets alone at night. Windows and doors have been broken in buildings across from the lot in question. Graffiti is an ongoing problem. A few landlords on this block don’t take good care of their rental properties and their residents are careless about trash. Adding population density could contribute to this problem unless existing safety and neighborhood “maintenance” issues are addressed first. Another very practical concern is that during heavy rain storms, waste water backs up the drains and floods some buildings in this neighborhood now. If the existing water and sewage system cannot handle demands of current residents, how will it respond to an additional 35-54 families squeezed into this one small area?

The former children’s hospital at 66-68 High Street has architectural integrity and charm. It is set back on a lovely grass lawn that is enjoyed by many residents of this neighborhood. When the University of Southern Maine (USM) proposed to turn this green into a parking lot a few years ago, residents of District 2 rallied to convince USM to change their plans. This building and its grounds mark the transition from a scruffy commercial area to an eclectic side of the West End. The green with its distinctive iron fence is an integral part of our neighborhood. Portland needs to invest in “undeveloping” as well as developing to preserve these public and private greens. They add character and beauty to our city. The Museum of Art public green across from the Holiday Inn on Spring Street is a perfect example of using green space in city planning. This should be an opportunity to develop while preserving the architectural footprint of a property that is part of Portland’s heritage.

I love Portland. And I’ve enjoyed living in the heart of the city for the past several years. I am not against affordable housing, but I strongly object to changing zoning to increase population density in an already established neighborhood such as ours. If CHOM could present a proposal to renovate the existing building without additions and with sufficient parking spaces to support the number of housing units, the residents of this neighborhood would be far more supportive.

Please don't allow CHOM to choke the life from our neighborhood with more "affordable" housing this city doesn't need!

Thank you for your help and attention to this matter.

Sincerely,

Karen Dowell

Karen Dowell
Functional Genomics predoctoral graduate student
University of Maine GSBS at The Jackson Laboratory
Tel: 207.288.6674 Cel: 207.460.2361
karen.dowell@maine.edu or karen.dowell@jax.org

Shukriaz Wiar - Zoning Map Amendment from R-6 to R7 at 66-68 High Street

From: "Karen Dowell" <karen.dowell@maine.edu>
To: <Shukriaw@portlandmaine.gov>
Date: 8/8/2010 9:18 PM
Subject: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

Dear Ms. Wiar:

I am writing to urge the planning committee to reject the zoning map amendment requested by Community Housing of Maine (CHOM). I own a condominium in the vicinity of this parcel and believe that this proposed zoning change will directly affect my quality of life as a Portland resident and potentially erode the value of my property. Although I was unable to attend the workshop held on July 27, I have reviewed the planning documents and memorandums circulated by your office and I am very concerned about this proposal for several reasons.

As you know, the purpose of this request is to allow CHOM to increase the allowed density and lot coverage, and to decrease the number of required parking spaces. The location at 66-68 High Street is in an already densely populated, high traffic area. Increasing the density of residents while decreasing the number of parking spaces will cause further congestion, and make parking on the street virtually impossible for existing residents. The potential increase in on-street parking demand is not adequately addressed in the CHOM proposal. (Just because you want people to take public transportation doesn't mean they will.) In addition, the one-way traffic on High Street is heavy and careless of pedestrians. It is not safe for young children now. Changing the zoning on this corner of High and Danforth will make it even less so. If CHOM's objective is to create affordable family housing, this is not the best in-city location for their development.

The Sustainable Housing document cited heavily in the proposal was adopted in 2002, long before the real estate boom and bust of the last decade. Over the past several years, many houses and office spaces were converted to condos and high-rise developments were erected, resulting in a glut of housing in the downtown area. Now, you can't walk the streets of Portland without seeing numerous for sale or for rent signs. Should we not, as a city, focus on making existing housing affordable before creating more housing developments? The closest grocery store to this proposed development is not within walking distance. The shopping in this area is targeted more toward tourists, than residential families. In addition, it is questionable as to whether families interested in this type of affordable housing could afford the daycare facilities in this area. There are other locations near the downtown area, such as on Marginal Way, that would be better suited for R7 zoned housing.

This neighborhood, in general, is wonderfully diverse, but has a relatively high crime and violence rate. It is not safe to walk these streets alone at night. Adding population density could contribute to this problem unless existing safety issues are addressed first. Another very practical concern is that during heavy rain storms, waste water backs up the drains and floods some buildings in this neighborhood now. If the existing water and sewage system cannot handle demands of current residents, how will it respond to an additional 35-54 families squeezed into this one small area?

The former children's hospital at 66-68 High Street has architectural integrity and charm. It is set back on a beautiful grass lawn that is enjoyed by many residents of this neighborhood. When the University of Southern Maine (USM) proposed to turn this green into a parking lot a few years ago, residents of District 2 rallied to convince USM to change their plans. This building and its grounds mark the transition from a scruffy commercial area to an eclectic side of the West End. The green with its distinctive iron fence is an integral part of our

neighborhood. Portland needs to invest in "undeveloping" as well as developing to preserve these public and private greens. They add character and beauty to our city. The public green across from the Holiday Inn on Spring Street is a perfect example of using green space in city planning.

One of the reasons I love Portland is that it has preserved so many of its historic buildings and neighborhoods. It is a very livable city with considerable diversity. I am not against affordable housing, but I strongly object to changing zoning to increase population density in an already established neighborhood such as ours. If CHOM could present a proposal to renovate the existing building without additions and with sufficient parking spaces to support the number of housing units, the residents of this neighborhood would be far more supportive.

Please don't allow CHOM to choke the life from our neighborhood with more "affordable" housing this city doesn't need!

Thank you for your attention to this matter.

Sincerely,

Karen Dowell

Karen Dowell
Functional Genomics predoctoral graduate student
University of Maine GSBS at The Jackson Laboratory
Tel: 207.288.6674 Cel: 207.460.2361
karen.dowell@maine.edu or karen.dowell@jax.org

RECEIVED

AUG 10 2010

City of Portland
Planning Division

Peter and Patricia Brown
124 A Pleasant St.
Portland, ME 04101
773-8803
pdmalonebrown@hotmail.com

August 5, 2010

Planning & Urban Development Department
Development Review Program
City Hall of Portland, Maine
389 Congress St. Room 308
Portland, Maine 04101

Dear Ms. Barhydt,

I am a resident of The Town Farm Condominiums at 124 Pleasant St. Portland (04101). I am writing to urge you and other planners of the proposed rezoning 66-68 High St. (the former USM building) to keep this property as an R6 zone. Since your original report findings in 2002 on "Sustaining Portland's Future," many of the original initiatives have changed. It would be prudent to sustain the quality of life for the present residents of this neighborhood as we too are a part of "Portland's future".

Since 2002, at the height of the real estate boom many new condos and other multi-family units have been incorporated into this area. Indeed many houses and office spaces were converted to condos and rental property. Why not make some of the vacant rental and condo spaces more affordable before adding more housing?

Of particular concern is the proposal to have 35 units (with the *preposterous* option to increase to 54 units) with only 15 parking spaces. Many of the inhabitants of the 35 units will have at least one automobile, with the possibility of two. Perhaps you are unaware of how difficult it can be for those of us allotted one parking space for a condo or rental unit when we are a two-car family. Visiting family and friends already find it difficult to find parking. Parking can be next to impossible in our neighborhood already. There is a distinct possibility that there could be as many as 40 or more cars added in the neighborhood seeking daily parking. The area is a high traffic and highly congested neighborhood now. How can you put safety and quality of life for present residents in jeopardy? Will you decrease our tax base due to diminished quality of life? The challenge of parking in the designated Yellow Zone in winter argues that this increase in density cannot be supported.

This neighborhood has a history of waste water back up in drains flooding some of the buildings. Will the city update all drains and conduits? Will the city pay residents for any flooding damage as a result of insufficient infrastructure? Certainly the water needs and sewage needs are not meeting demands of current residents. Again, it is preposterous to think that the addition of 35-54 families will not overwhelm the system. I find it negligent on the part of planners who may not have considered this impact.

The one-way traffic pattern on High St. is high volume. Traffic proceeds at a high rate of speed. It is a dangerous traffic pattern which can ill afford more traffic, particularly at the High St. and Danforth St. intersection.

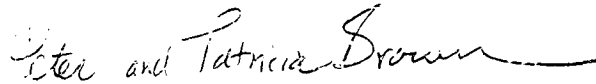
Our neighborhood is diverse and highly populated. Along with high density urban population is a burgeoning crime and violence rate. Please do not add more to the population density which would create more safety issues. If you want to keep this neighborhood as a livable area in the Arts District and gateway to the West End, safety of current residents should be protected.

Your report extols proximity of grocery stores for residents. This is patently inaccurate. The bus route does not transport residents to a Shaws, Hannaford or Whole Foods. The walking distance stores of the Old Port are often upscale and cater to tourists, not to permanent residents.

Part of the vibrancy of the Arts District, especially for working artists is on the Art Walk "First Fridays." The neighborhood needs parking for participants, safety and a sense of welcome. Loosing a beautiful and much fought for green space in the Arts District will not enhance commerce of the arts. This green space is also an irreplaceable oasis of beauty for the residents of our neighborhood. The Historic Preservation Program responded to our petition to keep this green space when The University of Southern Maine wanted to turn the space into a parking lot. Precedent has been set by this petition. Give residents the beauty of this green space we fought for! Keep this as a public green area!


Increased population density in our neighborhood will not enhance quality of life for anyone. Keep the current R-6 zoning in tact. Over-crowding of our neighborhoods does nothing to create a better future for Portland.

Sincerely yours,

A handwritten signature in cursive script that reads "Peter and Patricia Brown". The signature is written in dark ink and has a fluid, connected style.

Peter and Patricia Brown

cc: Nicholas Mavodones, Jr., Mayor, City of Portland; David A. Marshall, City Council Representative, District 2; David Fernald, Interim Director, Victoria Mansion; Catherine Morrill Day Nursery; Maine Preservation, 500 Congress St. Portland


LEARNINGWORKS
Serving at-risk youth, immigrants and low-income families

September 15, 2010

Planning Board, City of Portland
Portland City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

Dear Planning Board Members,

I am writing in support of Community Housing of Maine's application for a zone map amendment for 66/68 High Street.

Learning Works owns or manages 7 multifamily housing properties in the West End, two of which--42 Gray Street and 140 Park Street--are located in close proximity to CHOM's proposal. In addition, our corporate offices are in the West End, at 181 Brackett Street.

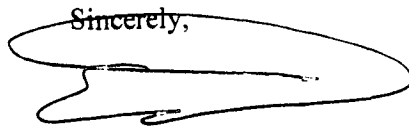
Having personally reviewed the plans, we are supportive of CHOM's proposed development and the zone map amendment for a number of reasons. First, we welcome the addition of more affordable housing on the peninsula. Our organization sees firsthand the severe shortage of high quality, professionally managed affordable rental housing in Portland. Despite numerous developments over recent years, this shortage still negatively impacts the city at large.

Second, we are pleased with CHOM's design plans to rehabilitate an underutilized historic property and redevelop an urban infill site. We believe that this plan will benefit its future low income residents by its in-town location, close to community facilities, employment opportunities, public transportation and services.

Finally, we are supportive of the Planning Board and City Council utilizing the R7 overlay zone on this development. The R7 is a progressive zoning tool designed to encourage in town multifamily housing developments which address Portland's housing shortage. This tool reduces the financial risk for non-profits, in an area that is extremely complex and risky. We think CHOM's proposal for 66/68 High Street is a suitable candidate for an R7 overlay zone.

Please feel free to contact me personally, if you have any question.

Sincerely,



Ethan Strimling
Chief Executive Officer



20 September 2010

Planning Board, City of Portland
Portland City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

RE: CHOM Affordable Housing Development at 66-68 High St

Dear Members of the Planning Board & Staff,

I have owned a 16,000 square-foot, 19th-century office building located at 2-18 Danforth St for nearly twenty-five years and have operated my business here since 1986. Wright-Ryan Construction, Inc. employs 75 residents of the Greater Portland area. I have seen many changes in the neighborhood during my tenure here. When we first occupied our building we were one of only 3 or 4 businesses on the entire block of Danforth between York and High Streets. There are now dozens. Most of the housing in the neighborhood was run down. Now the street has an attractive mix of renovated old and tastefully designed new housing, including 53 Danforth, a 43-unit affordable housing project which we built last year. It has become a vibrant mixed use area. Having 53 Danforth in the neighborhood has added substantially to that mix, providing a substantial, attractive building that brings life to the area after the close of business.

I have examined the plans for CHOM's proposed development at 66-68 High St and am confident that their project will bring the same benefits to the neighborhood that 53 Danforth has brought. Downtown Portland remains in need of workforce housing. In addition, the design and construction of this project will bring badly needed jobs to a hard-hit sector of the economy at a critical time.

We strongly support the use of the R7 zone map amendment process for this project and urge you to support the continued thoughtful redevelopment of this important Portland neighborhood.

Sincerely,

John W. Ryan
President, Wright-Ryan Construction, Inc.
Owner, 2-18 Danforth St.

Building Maine's Great Spaces

Wright-Ryan Construction, Inc. • 10 Danforth Street • Portland, Maine 04101
Phone (207)773-3625 • Fax (207)773-5173 • www.wright-ryan.com

Shukria Wiar - Community Housing of Maine project at Danforth and High

From: Nathan Szanton <n.szanton@szantoncompany.com>
To: Shukria Wiar <SHUKRIAW@portlandmaine.gov>
Date: 9/19/2010 8:24 PM
Subject: Community Housing of Maine project at Danforth and High

Dear Shukria,

As you know, my partner Bobby Monks and I own the 43-unit, mixed-income apartment building at 53 Danforth Street, about five properties below the site of Community Housing of Maine (CHOM)'s proposed project at the corner of Danforth and High Streets (66-68 High Street).

I have met with Todd Alexander of CHOM to review the development plans for this project, and learned quite a bit about who it is proposing to serve; its physical design; and how it would be managed.

I am unable to attend the upcoming Planning Board meetings concerning this project, but I wanted to make Planning staff and the Planning Board members aware that I am in full support of this project and the zone change to R7 which the developer is seeking. We had so many apartments in the West End convert to condominiums during the 1990's and early 2000's that we are in need of a considerable amount of new affordable housing in the West End just recover from that loss. I think CHOM's design is sensitive to the site and what went before on that site, and would make a very nice addition to the neighborhood.

Thank you to you and the Board for considering my input.
Sincerely,
Nathan Szanton

Nathan S. Szanton
Principal
The Szanton Company
One City Center, 4th Floor
Portland, ME 04101

tel: 207/871-9811
fax: 207/775-4325
n.szanton@szantoncompany.com
www.szantoncompany.com



Zoning Amendment Application
Department of Planning and Development, Planning Division and Planning Board

PROJECT ADDRESS: 66-68 High Street

CHART/BLOCK/LOT: 44/F/1

CONTACT INFORMATION:

APPLICANT

Name: Community Housing of Maine
Address: 309 Cumberland Avenue, Ste 203
Portland, ME
Zip Code: 04101
Work #: 879-0347
Cell #: 720-0181
Fax #: 879-0348
Home: _____
E-mail: erin@chomhousing.org

PROPERTY OWNER

Name: University of Maine System
Address: 16 Central Street
Bangor, ME
Zip Code: 04401
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

BILLING ADDRESS

Name: see applicant address above
Address: _____

Zip: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

~As applicable, please include additional contact information on the next page ~

AGENT/REPRESENTATIVE

Name: Erin Cooperider
Address: 309 Cumberland Ave, Ste.203
Portland, ME
Zip Code: 04101
Work #: 882.8349
Cell #: 720.0181
Fax #: 815.366.8136
Home: _____
E-mail: erin@chomhousing.org

LANDSCAPE ARCHITECT

Name: John Mitchell, Mitchell & Asso.
Address: 70 Center Street
Portland, ME
Zip Code: 04101
Work #: 774.4427
Cell #: _____
Fax #: 874.2460
Home: _____
E-mail: jmitchell@mitchellassociates.biz

ARCHITECT

Name: Ben Walter, CWS Architects
Address: 434 Cumberland Avenue
Portland, ME
Zip Code: 04101-2325
Work #: 774.4441
Cell #: _____
Fax #: 774.4016
Home: _____
E-mail: Bwalter@CWSarch.com

CONSULTANT

Name: Scott Hanson, Sutherland Conservation
Address: 20 Warren Street
Hallowell, ME
Zip Code: 04347
Work #: 620.6291
Cell #: _____
Fax #: _____
Home: _____
E-mail: scorhanson@sutherlandcc.net

SURVEYOR

Name: Owen Haskell
Address: 16 Casco Street
Portland, ME
Zip Code: 04101
Work #: 774.0424
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

ATTORNEY

Name: John Kaminski, Drummond Woodsum
Address: 84 Marginal Way, Suite 600
Portland, ME
Zip Code: 04101
Work #: 772.1941
Cell #: _____
Fax #: 772.3627
Home: _____
E-mail: jkaminski@dwmlaw.com

PROJECT DATA

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

Total Site Area 23,797 sq. ft.
 Proposed Total Disturbed Area of the Site 23,797 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

Proposed Total Paved Area 4,569 sq. ft.
 Existing Total Impervious Area 11,815 sq. ft.
 Proposed Total Impervious Area 18,150 sq. ft.
 Proposed Impervious Net Change 6,335 sq. ft.

Building Area

Existing Building Footprint 8,025 sq. ft.
 Proposed Building Footprint 13,581 sq. ft.
 Proposed Building Footprint Net Change 5,556 sq. ft.
 Existing Total Building Floor Area 26,803 sq. ft.
 Proposed Total Building Floor Area 39,571 sq. ft.
 Proposed Building Floor Area Net Change 12,768 sq. ft.
 New Building (ADDITION) YES (yes or no)

Zoning

Existing R-6
 Proposed R-7

Land Use

Existing OFFICE
 Proposed RESIDENTIAL

Residential, if applicable

Proposed Number of Affordable Housing Units 35
 Proposed Number of Residential Units to be Demolished N/A.
 Existing Number of Residential Units NONE
 Proposed Number of Residential Units 35
 Subdivision, Proposed Number of Lots NONE

Parking Spaces

Existing Number of Parking Spaces 1
 Proposed Number of Parking Spaces 15
 Number of Handicapped Parking Spaces 3
 Proposed Total Parking Spaces 15

Bicycle Parking Spaces

Existing Number of Bicycle Parking Spaces NONE
 Proposed Number of Bicycle Parking Spaces 6
 Total Bicycle Parking Spaces 6

Estimated Cost of Project

\$ 8,500,000

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

Applicant has an executed Option to Purchase (attached)

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use:

Describe the existing use of the subject property:

Office and classroom space

Current Zoning Designation(s):

R6 Residential

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

Applicant proposes to renovate the existing building, including the construction of an addition, into 35 units of affordable rental housing for families. The complex will contain a mix of one-, two-, and three-bedroom units. On-site parking is proposed for underneath the addition, which will be sized and located to approximate the original mansion.

Sketch Plan: On a separate sheet, please provide a sketch plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1' = 100'.) Contract and conditional rezoning applications may require inclusion of site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEE:

Check the type of zoning review that applies. Payment may be made in cash or check to the City of Portland.

Zoning Map Amendment:

\$2,000.00 (from R1e zone to R1i zone)

Zoning Text Amendment:

\$2,000.00 (to Section 14- _____)

(For Zoning Text Amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (~~example~~), and language to be added is depicted with underline (example).

Conditional or Contract Zone

\$1,000.00 (under 5,000 sq. ft.)

\$3,000.00 (5,000 sq. ft. and over)

(A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)

Signature: The above information is true and accurate to the best of my knowledge.

Signature of Applicant: <i>Ann Connersides, Development Director</i>	Date: 6.21.10
---	------------------

Further Information

In the event of withdrawal of the zoning amendment application by the applicant, a refund of two-thirds of the amount of the zone change fee will be made to the applicant as long as the request is submitted to the Planning Division prior to the advertisement being submitted to the news paper.

HOUSING OBJECTIVE OF THE PROJECT

Community Housing of Maine will seek low income housing tax credits, state and federal historic tax credits, and subsidy through MaineHousing's Rental Loan Program for the development of 35 units of low-income family housing at 66-68 High Street in Portland, Maine. The complex will contain a mix of one- and two- and three-bedroom units in an elevator building. A community room, family play area, activity room, laundry facilities, and clustered post boxes will serve as meeting places for residents. The residents will enjoy close proximity to schools, daycare, playgrounds, and employment opportunities, as well as public transportation, shopping, dining and recreational opportunities at this in-town location.

THE SITE

The subject property is a freestanding 3-story, 28,954+/- brick building located on .539+/- acres of land at 66-68 High Street in Portland. The University of Maine System currently owns and occupies the property. It was listed for sale with The Dunham Group and in March 2010 the University optioned the property to Community Housing of Maine.

The property is located in one of the first historic districts created in the City of Portland, and the building, which was designed by Fredrick A. Tompson and constructed in 1909 as a children's hospital, is an important Colonial Revival building. The State Historic Preservation Commission has confirmed that the project is eligible for listing on the National Register of Historic Places and the National Park Service has approved a Part I application for Federal historic tax credits. The property has frontage on High Street and on Danforth Street, with an existing curb cut on High Street. Central Maine Power supplies power to the building, which is also served by municipal water and sewer.

BUILDING PROGRAM

Assuming all approvals can be secured, the Community Housing of Maine plans to renovate the main building, constructing an addition of roughly equal size, with parking below grade. The addition will be sized and located to approximate the original mansion. Zoning calls for 1 parking space per unit in the new construction portion of the project, which will contain 15 units. The attached sketch plan shows a total of 15 parking spaces, 11 under the addition, and four surface spaces, including two handicap spaces. When complete, the project will contain 20 x 1-bedroom units, 12 x 2-bedroom units, and 3 x 3-bedroom units for a total of 35 units. Most of the community space will be located in a daylight basement beneath the existing building.

ZONING AND PERMITTING

The property at 66-68 High Street is currently zoned R-6 Residential and is eligible for an R-7 overlay, which would allow greater density, lot coverage, and reduced set-back requirements. The proposed use and configuration is allowed in the R-6 district, and the proposed density is allowed in the R-7 overlay. The proposed zoning map amendment will allow the project to increase the allowable density from 20 units to 35 units, which will make the project financially feasible. The design team has met with City staff representing Code Enforcement, Planning, and Historic Preservation regarding zoning, permitting, and Historic Preservation requirements. Subdivision and Site Plan approval will also be required from the City of Portland, in addition to approval from the Portland Historic Preservation Commission, Section 106 Review by the State Historic Preservation Commission, and approval of Parts I, II, and III of an application for historic credits from both the State Historic Preservation Commission and the National Park Service.

OPTION TO PURCHASE AGREEMENT

THIS OPTION TO PURCHASE AGREEMENT, dated this 4th day of March, 2010, is by and between the UNIVERSITY OF MAINE SYSTEM, a body politic and corporate, and an instrumentality and agency of Maine with an address at 16 Central Street, Bangor, Maine 04401 ("Seller"), and COMMUNITY HOUSING OF MAINE, INC., a Maine nonprofit corporation with an address at 309 Cumberland Avenue, Suite 203, Portland, Maine 04101, or its assigns ("Buyer").

WHEREAS, Seller is the owner of a .539-acre parcel of land with buildings thereon at 66-68 High Street in Portland, Maine, identified as Tax Map 44, Block F, Lot 1, which property is more particularly described on Exhibit A attached hereto (the "Premises");

WHEREAS, Seller desires to grant to Buyer, and Buyer desires to accept, an option to purchase (the "Option") with respect to the Premises upon the terms and conditions as set forth herein.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Option Period; Extension; Exercise of Option.

- (a) Seller hereby grants Buyer the option to purchase the Premises for a period commencing from the date of this Agreement (the "Effective Date") and expiring six (6) months thereafter (the "Option Period"). Buyer shall pay to Seller as consideration for the Option the amount of [REDACTED] upon the signing of this Agreement. Buyer shall have ninety (90) days from the Effective Date to conduct its preliminary due diligence. During such ninety (90) day period, Buyer may terminate this Option Agreement for any reason by written notice to Seller. Upon any such termination, Buyer shall receive a refund of the entire [REDACTED] consideration. In the event that Buyer does not so terminate this Option Agreement, then Buyer shall pay to Seller an additional [REDACTED] upon the end of such ninety (90) day period. All amounts paid pursuant to this Paragraph 1(a) are referred to below as the "Option Payments"
- (b) HUD Required Language. The Buyer may fail or refuse to exercise this Option for any reason whatsoever, including without limitation that the Buyer determines, or is notified that the Premises do not meet the environmental requirements of the United States Department of Housing and Urban Development or other environmental requirements.

LL

(c) Subject to the conditions provided in this paragraph 1 (c), Buyer may extend this Option for two (2) additional 6-month periods (the "Extension Periods"), by paying additional consideration for each such extension in the amount of [REDACTED] (the "Extension Payment"), provided such payment is made to Seller before the expiration of the original Option Period, and each Extension Period. All decisions regarding whether to extend this option shall be made by Buyer in Buyer's sole discretion.

(1) Buyer may initiate the first extension upon notice and payment of the applicable Extension Payment to Seller accompanied by presentation to the Seller of proof that 1) Buyer has made application to the Maine State Housing Authority for an allocation of low income housing tax credits, 2) Buyer has obtained a term sheet from a qualified construction lender, and 3) Buyer has obtained a letter of interest from a qualified tax credit syndicator / investor. In the event Buyer fails to provide all of the above information to Seller, Seller shall have the option of terminating the contract.

(2) Buyer may initiate the second extension upon notice and payment of the applicable Extension Payment to Seller accompanied by presentation to the Seller of proof that 1) the project has received an allocation of low income housing tax credits, or achieved a position in the top five (5) projects on the waiting list, 2) the project has received subdivision approval, and 3) either (i) the Project has obtained an approved Part I application for historic tax credits or (ii) Buyer waives in writing any right to a refund of the Option Payment and Extension Payment under paragraph 2 as a result of the inability to obtain Maine Historic Preservation and U.S. National Park Service approvals. In the event Buyer fails to provide all of the above information to Seller, Seller shall have the option of terminating the contract.

(d) All payments made hereunder, including without limitation any Option Payments and the Extension Payments, shall apply to the purchase price, and shall be non-refundable except as provided herein.

(e) Buyer may exercise its option to purchase at any time during the Option Period or any Extension Period by giving written notice to Seller of its intent to exercise its option to purchase (the "Purchase Notice").

2. Refund of Option Payment and Extension Payments. The Option Payments and any Extension Payments shall be refundable in full, and upon the actual refund of such

Buyer, (h) an allocation of low-income housing tax credits and a commitment for permanent financing from Maine State Housing Authority, all on terms reasonable satisfactory to Buyer; or (i) any other permits or approvals reasonably required for Buyer's proposed redevelopment of the Premises.

3. Purchase Price. Subject to adjustment as set forth below, Buyer shall pay Seller a purchase price of [REDACTED] (the "Purchase Price") upon closing.

4. Closing. If Buyer exercises the option to purchase, then closing on the sale of the Premises shall take place on the date specified by Buyer, but in no event later than the date that is ninety (90) days after the date of the Purchase Notice, nor later than eighteen (18) months after the date of this agreement.

5. Conditions to Sale. If Buyer exercises its option to purchase the Premises, the following terms and provisions shall apply:

- (a) Title to the Premises shall be conveyed to Buyer by Quit Claim Deed, which deed shall be free and clear from encumbrances except provisions of existing building and zoning laws, any covenants and/or easements of record and usual public utility servicing the property with Buyer's intended use of the Premises; such real estate taxes for the then current tax period which are not due and payable on the date of delivery of such deed; and any matters of record which in Buyer's opinion do not interfere with Buyer's plans to develop or use the property or with Buyer's ability to obtain financing in connection with the development or use. Buyer shall notify Seller of any defects in title that would make Seller unable to give title to the Premises as herein stipulated. Seller shall be obligated to proceed in good faith to cure any such title defect(s). If required, the closing shall be extended to allow Seller time to cure any such title defects, but in no event shall the closing be extended more than thirty (30) days for such purposes. If a title defect exists, Buyer may elect, by written notice to Seller, either (i) to accept title to the Premises subject to any uncured defects in title or (ii) to terminate this option,

whereupon all Option Payments and Extension Payments paid by Buyer to Seller shall be immediately refunded to Buyer, the obligations of all parties hereunder shall cease, and neither party shall have any claim against the other by reason of this Agreement.

- (b) Real estate taxes for the then current tax period, if applicable, shall be apportioned as of the closing date and the net amount thereof shall be added to or deducted from, as the case may be, the Purchase Price payable by Buyer at the time of delivery of the deed. Each party shall pay its statutory share of the Maine State transfer tax to the extent applicable.
- (c) In the event that Buyer exercises the Option, but fails to close in accordance with the terms of this Option Agreement, Seller shall retain the Option Payments and Extension Payments as Seller's sole and exclusive remedy.

6. Representations. Seller represents, covenants and warrants to and agrees with Buyer as follows:

- (a) Seller is the current owner of the Premises, and has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Seller of its obligations hereunder will not conflict with, or result in breach of any regulation, order, judgment, injunction or decree of any court or governmental authority or any agreement or instrument to which Seller is a party or by which it is bound.
- (b) There are no agreements or contracts affecting the Premises or any use of the Premises that would not be terminable at will by Buyer without penalty from and after the Closing.
- (c) There is no notice, suit, order, decree, claim, writ, injunction, or judgment relating to material violations of any laws, ordinances, codes, regulations or other requirements with respect to the Premises (or any portion thereof) in, of or by any court or governmental authority having jurisdiction.
- (d) There are no suits, actions or proceedings pending or to Seller's knowledge threatened against Seller materially affecting the Premises or Seller's right or power to consummate the transaction contemplated by this Agreement before any court or administrative agency or officer.
- (e) There is no condemnation proceeding pending or to Seller's knowledge threatened against any portion of the Premises.

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Buyer represents, covenants and warrants to Seller that Buyer has the legal right, power and authority to enter into this Agreement and to perform all of its obligations hereunder, and the execution and delivery of this Agreement and the performance by Buyer of its obligations hereunder; (i) have been duly authorized by all requisite action; and (ii) will not conflict with, or result in a breach of, any of the terms, covenants and provisions of the by-laws or articles of organization of Buyer or any law or any regulation, order, judgment, writ, injunction or decree of any court or governmental authority, or any agreement or instrument to which Buyer is a party or by which it is bound.

7. Affirmative Covenants of Seller. Seller agrees during the Option Period and pending closing if Buyer exercises its option that:

- (a) Seller shall pay, when due, all taxes and assessments of every type or nature levied or assessed against the Premises and any claim, lien or encumbrance against the Premises that might materially affect Seller's ability to fulfill its obligations hereunder.
- (b) Seller (i) shall not commit or suffer waste and (ii) shall comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the Premises and will not suffer or permit any violation thereof.

8. Notice. Whenever notice is given or required to be given by either of the parties hereto to the other, it shall be deemed to have been given if in writing and mailed by certified or registered mail, return receipt requested, postage prepaid, or hand delivered, addressed to the parties at the address set forth in the first paragraph above or to such other address(es) as either party shall have last designated by like notice in writing. All notices shall be effective upon hand delivery or mailing, whichever first occurs.

9. Further Assurances. The parties agree that up to and after the date of closing, they shall do such things and execute, acknowledge and deliver any and all additional instruments, documents and materials as either party may reasonably request to fully effectuate the purposes of this Agreement.

10. Buyer's Access. Buyer and others whom Buyer may designate shall have the right, at all reasonable times, at Buyer's sole cost and expense, risk and hazard, to enter upon the Premises to examine and/or show the same and make, or cause to be made, engineering studies and other inspections with respect thereto, including, without limitation, surveying, conducting test borings in order to determine sub-soil conditions, and in general conducting all other tests, analysis and studies of the Premises which Buyer deems prudent in connection with Buyer's intended development or use of the Premises. Buyer shall restore the Premises following any testing as reasonably as possible to its pre-existing condition, unless otherwise agreed by Seller.

11. Construction of Agreement. This instrument is to be construed as a Maine contract sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both the Seller and Buyer. The captions are used only as a matter of convenience and are not to be considered a part of this Agreement or to be used in determining the intent of the parties to it. Time is of the essence with respect to all dates set forth in this Agreement.

12. Risk of Loss. The risk of loss shall remain on Seller at all times until closing.

13. Assignment. Buyer may assign this Agreement to any subsidiary and/or any affiliate of Buyer including without limitation a limited partnership in which Buyer controls the general partner.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

SELLER:

UNIVERSITY OF MAINE SYSTEM

By: [Signature]
Its: Kevin Carr, Director Office of Strategic Procurement

BUYER:

COMMUNITY HOUSING OF MAINE, INC.

By: [Signature]
Erin Cooperider, Development Director

STATE OF MAINE
COUNTY OF Sherburne, SS.

March 4, 2010

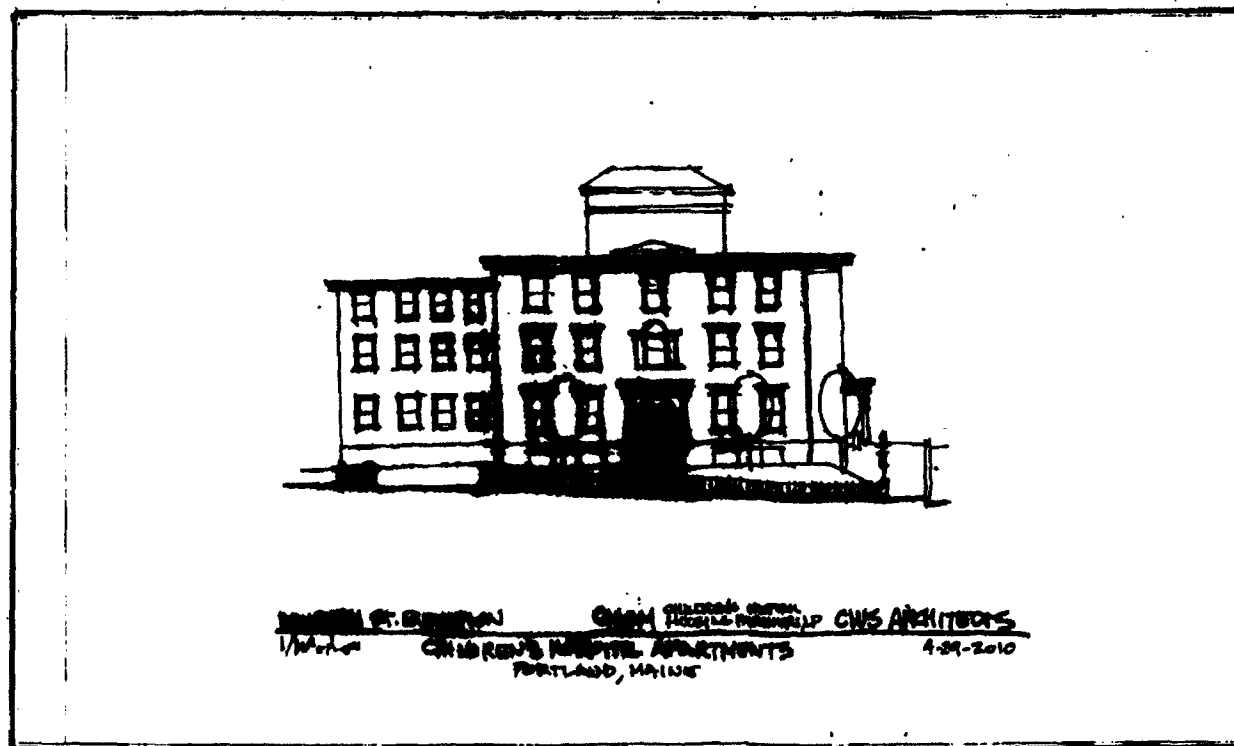
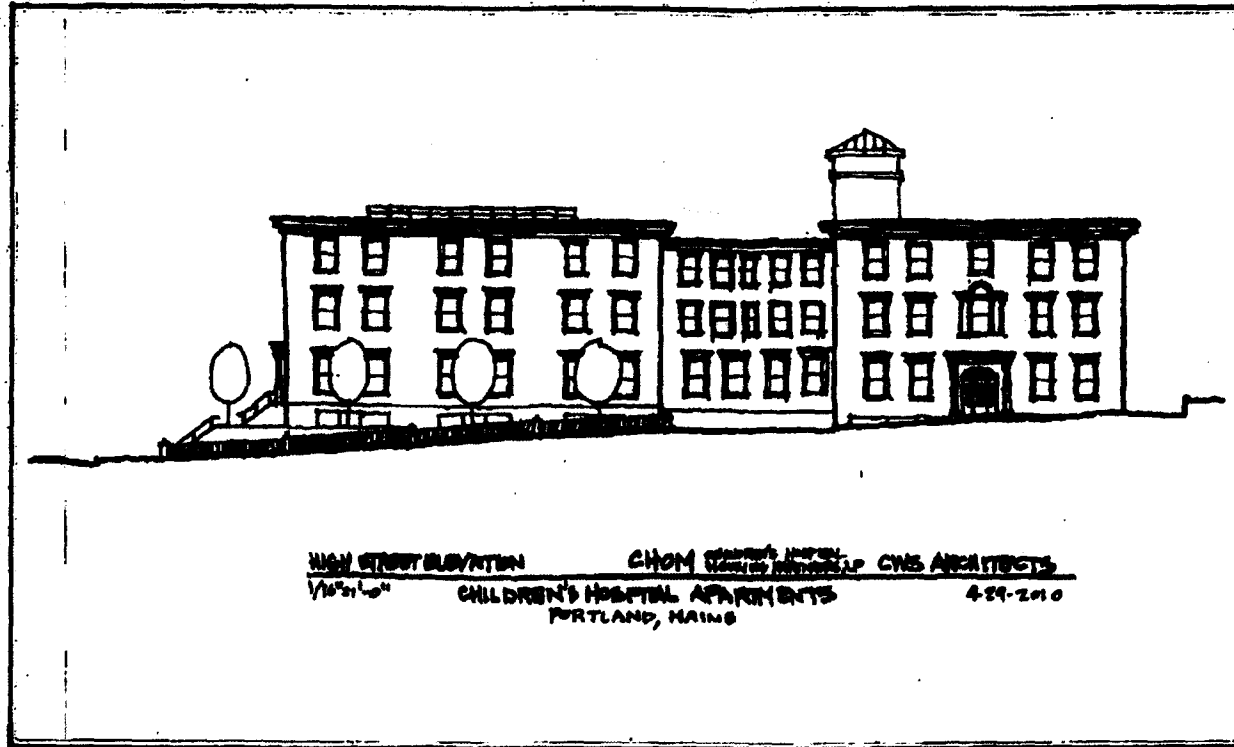
Personally appeared the above-named, Kevin Carr, Director Office of Strategic Procurement of the University of Maine System, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said University of Maine System.

Before me,

[Signature]
Notary Public/Attorney at Law
Angela R. Nickerson
Printed Name



Angela R. Nickerson
Notary Public, State of Maine
My Commission Expires 03/09/2013



CWS

CWS Architects

- Architecture
- Space Planning
- Value Design

434 Cumberland Avenue
 Portland, ME 04103
 Phone: (207)774-8441
 Fax: (207)774-4918
 www.cwsarch.com

Owner
CHOM Children's Hospital Housing Partners, LP
 200 Cumberland Ave.
 Suite 200
 Portland, Maine 04103

Client

Children's Hospital Apartments

Portland, Maine

Project No. 0908

Issuing Title

Scale: AS SHOWN

Date: Jan 21, 2009

Revisions:

- △
- △
- △
- △
- △
- △

Issuing Number:

1

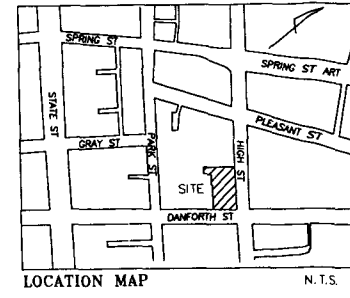
GENERAL NOTES:

- SITE AREA: 23,797 SF OR 0.54 ACRES
- APPLICANT: CHOM CHILDREN'S HOSPITAL HOUSING PARTNERS, LP
309 CUMBERLAND AVENUE
PORTLAND, MAINE 04101
- OWNER: UNIVERSITY OF SOUTHERN MAINE
PORTLAND, MAINE 04103
- ZONING DISTRICT: EXISTING: RG- RESIDENTIAL DISTRICT
PROPOSED: R7- COMPACT URBAN RESIDENTIAL OVERLAY
- SPACE AND BULK STANDARDS:

	REQUIRED RG ZONE	REQUIRED R7 OVERLAY ZONE	PROPOSED
MINIMUM LOT SIZE:	4,500	NONE	23,797 SF
MINIMUM STREET FRONTAGE:	40 FEET	NONE	200 FEET
FRONT YARD SETBACK:	10 FEET	NONE	15 FEET
REAR YARD SETBACK:	20 FEET	5 FEET	28 FEET
SIDE YARD SETBACK:	10 FEET	5 FEET	25 FEET
MAXIMUM LOT COVERAGE:	40%	100%	52 %
MINIMUM LOT WIDTH:	50 FEET	30 FEET	200 FEET
MAXIMUM HEIGHT OF STRUCTURES:	45 FEET	50 FEET	45 FEET
MAXIMUM RESIDENTIAL DENSITY:	1,200 SF/UNIT	435 SF/UNIT	
- OFF-STREET PARKING REQUIREMENTS:

REQUIRED:	RESIDENTIAL-ONE (1) SPACE/DWELLING UNIT. 15 (15 NEW DWELLING UNITS)
PROPOSED:	15 VEHICLE PARKING SPACES (INCLUDING 3 HANDICAP ACCESSIBLE SPACES)
- BIKE PARKING:

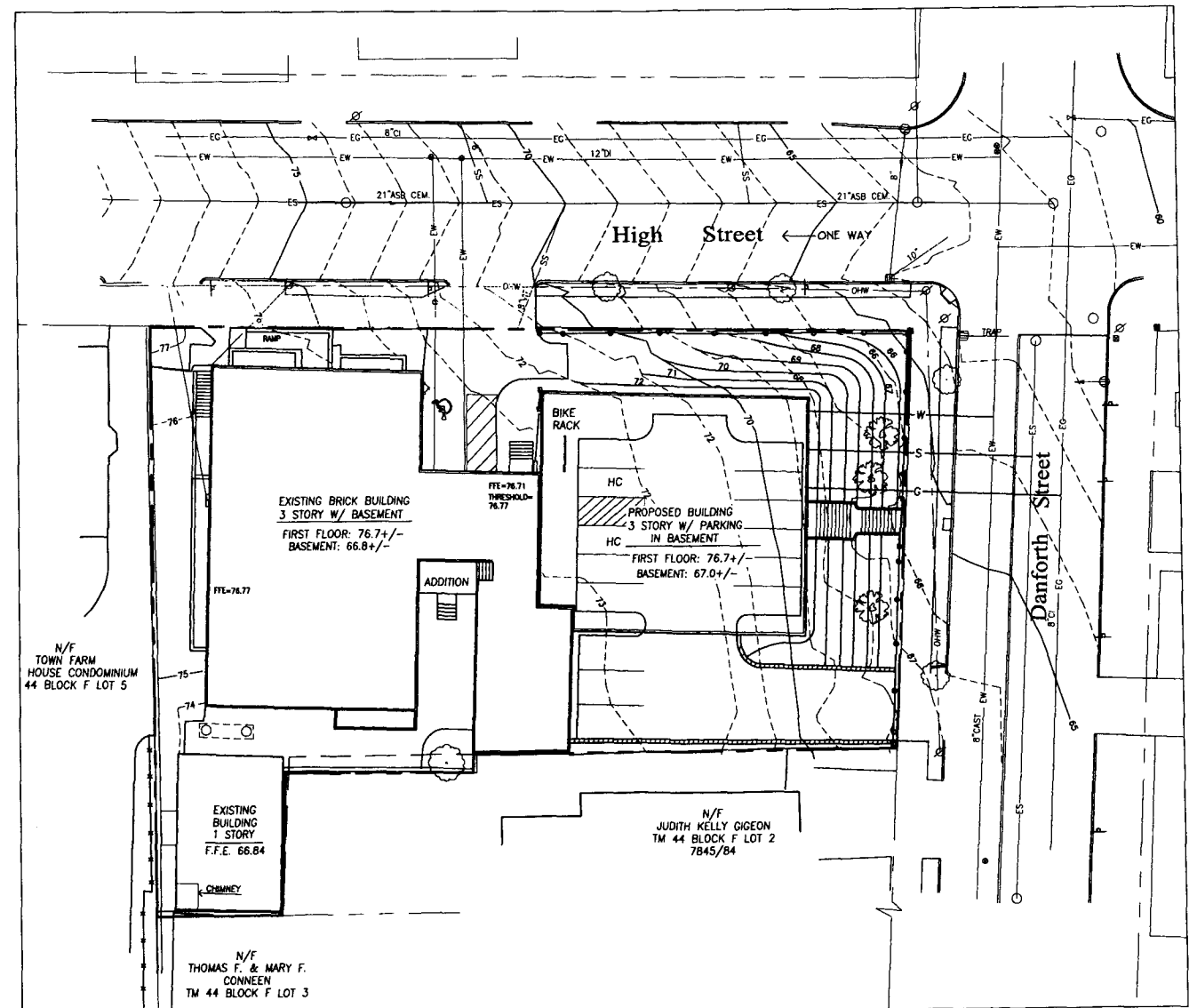
REQUIRED:	2 SPACES/5 DWELLING UNITS
PROPOSED:	6 SPACES (15 NEW DWELLING UNITS) 6 SPACES (ON SITE)
- EXISTING IMPERVIOUS: 11,815 SF (50% OF SITE)
PROPOSED IMPERVIOUS: 18,150 SF (76% OF SITE)
- ALL WORK WITHIN THE STREET RIGHT-OF-WAY SHALL MEET THE CITY OF PORTLAND STANDARDS.



Prepared For:
Applicant:
 CHOM, Children's Hospital
 Housing Partners, LP
 309 Cumberland Avenue
 Suite 203
 Portland, Maine 04101

Prepared By:
MITCHELL & ASSOCIATES
 Landscape Architects
 The Staples School
 70 Center Street
 Portland, Maine 04101
 Tel: (207) 774-4427

Children's Hospital Apartments
 Portland, Maine
 56-70 High Street



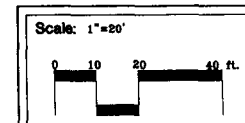
Date: JUNE 21, 2010

Issued For: ZONING MAP AMENDMENT

Revisions:

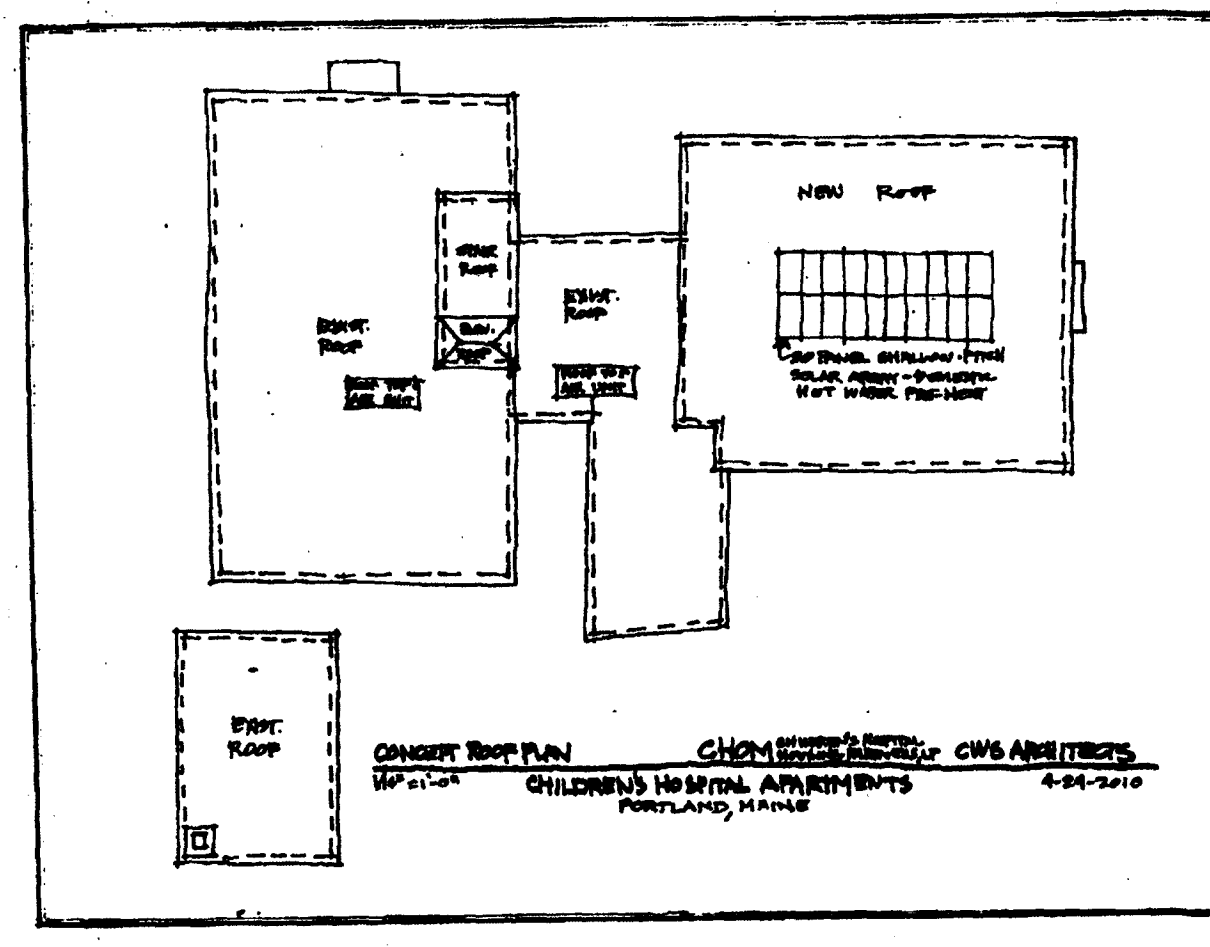
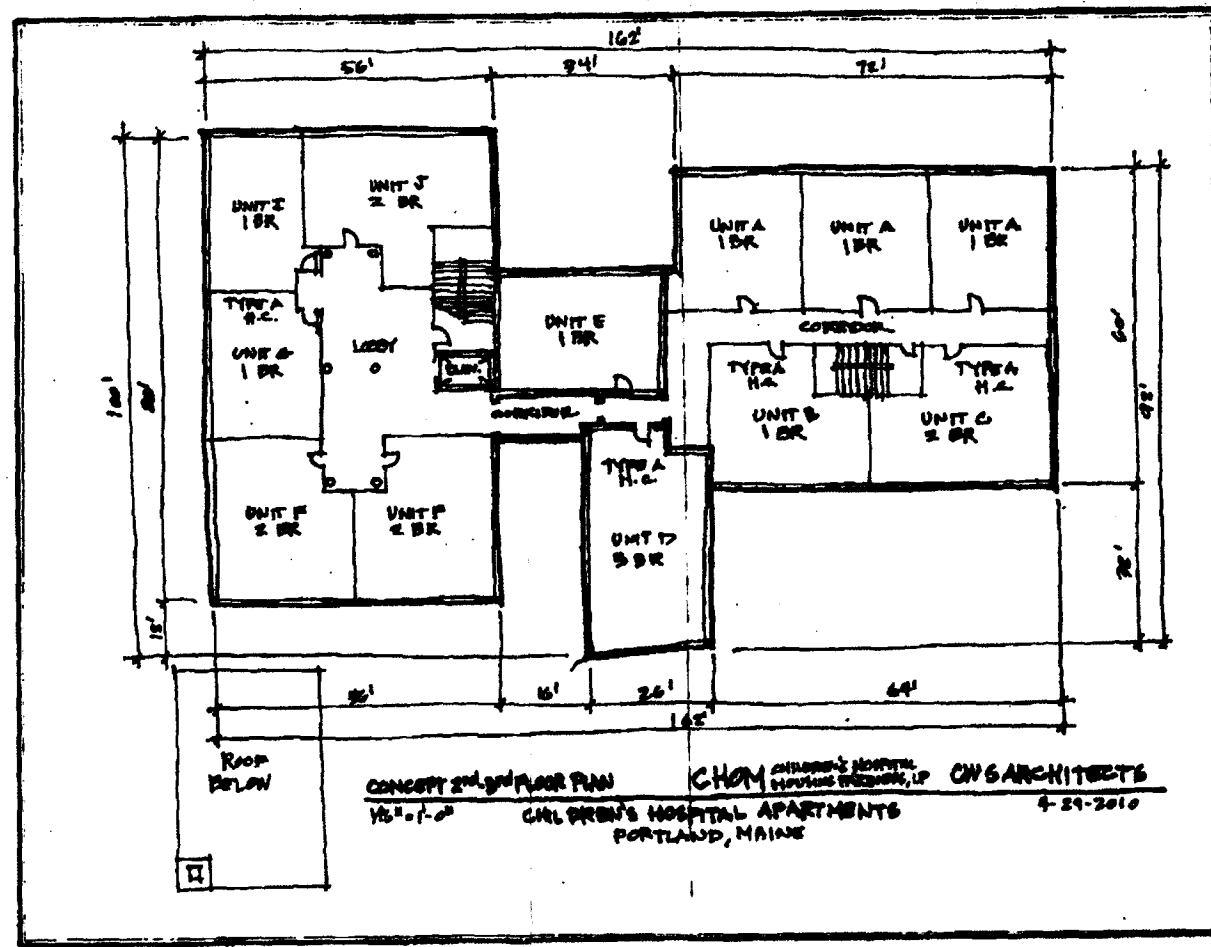
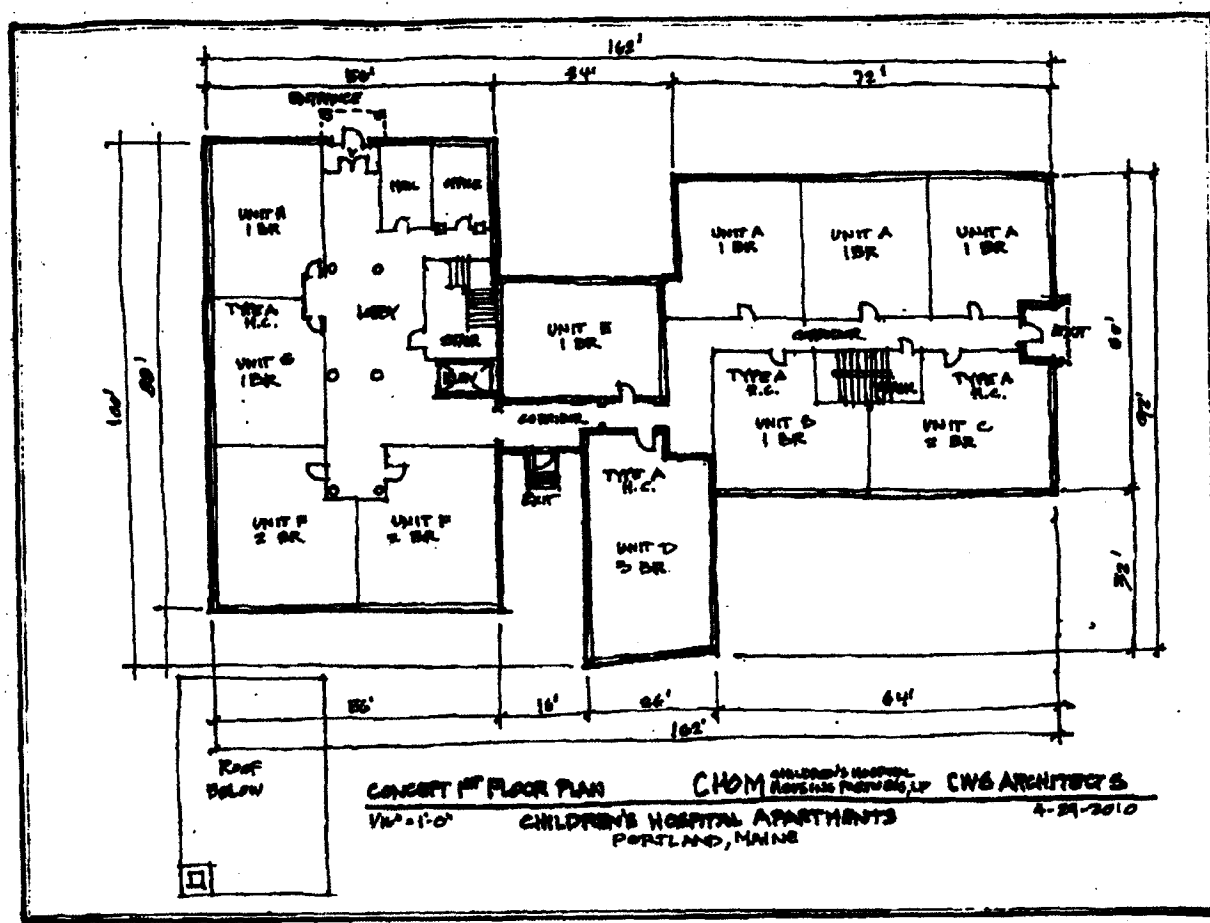
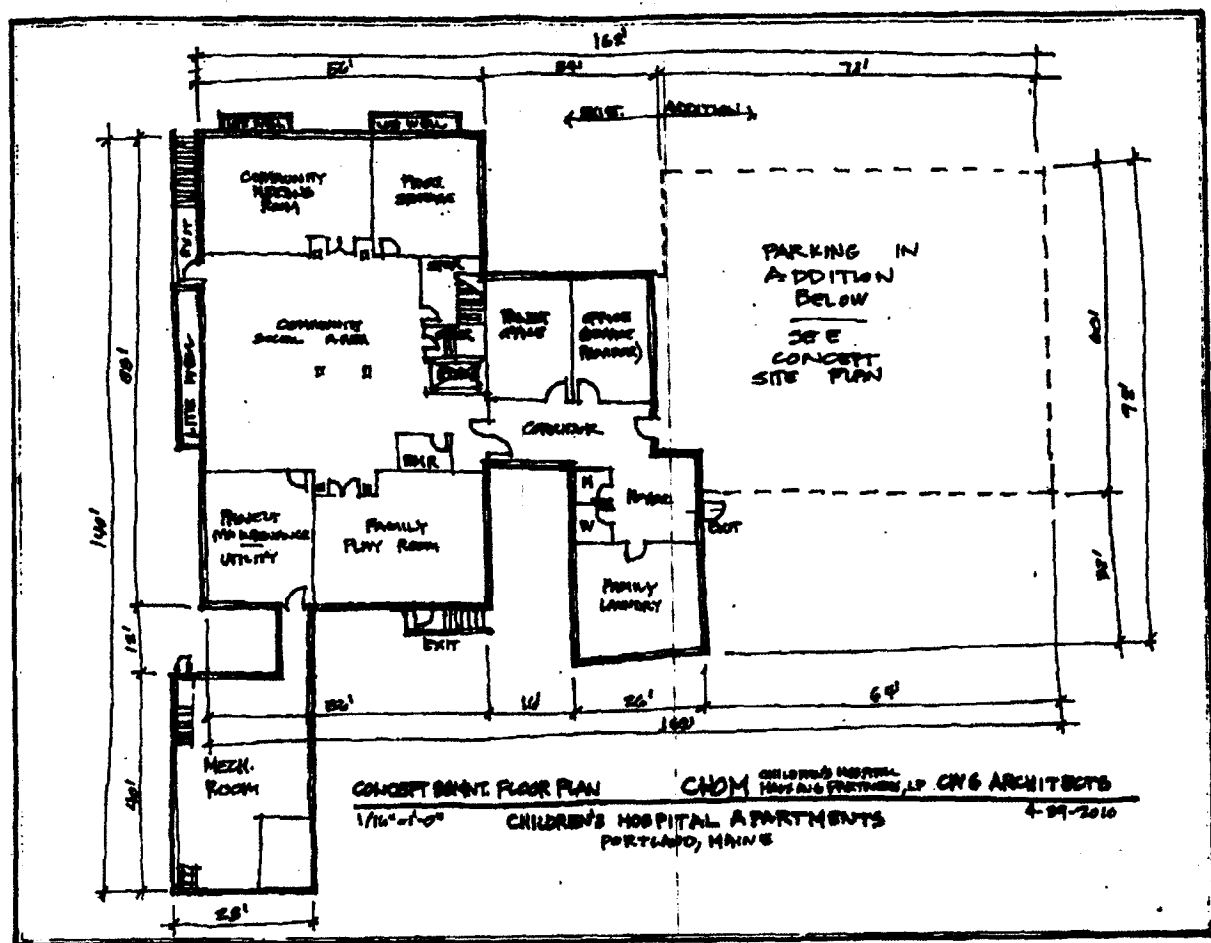
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Title: SCHEMATIC PLAN



North:

Sheet No: **1**



CWS
Architects

Architects
 Space Planning
 Value Design

434 Scarborough Avenue
 Portland, ME 04108
 Phone: (207)774-0444
 Fax: (207)774-0444
 www.cwsarch.com

Client:
CHOM Children's Hospital Housing Partners, LP
 300 Scarborough Ave.
 Suite 300
 Portland, Maine 04108

Project No: 0410

Scale: AS NOTED
 Date: Jan 21, 2010

Project Author:

Att. A-1

Applicant's Submittal

August 30, 2010

Ms. Shukria Wiar, Planner
Department of Planning and Urban Development
Planning Division
Portland City Hall
389 Congress Street
Portland, ME 04101

**RE: Zoning Map Amendment
66-68 High Street**

Dear Shukria:

On behalf of Community Housing of Maine (CHOM), we are pleased to submit the enclosed supporting documentation for a Zoning Map Amendment Application for 66-68 High Street.

This submission includes the following information:

1. Supplemental Information Package
2. Neighborhood Meeting Presentation
3. Sign In Sheets from neighborhood meeting
4. Meeting Minutes from neighborhood meeting
5. Neighborhood Meeting Certification
6. Copy of the neighborhood meeting invitation
7. Existing Conditions Plan

Ms. Shukria Wiar, Planner
Page 2

We trust the above responses and accompanying documentation and plans have addressed the comments received during the planning board workshop meeting on July 27, 2010 and the neighborhood meeting held on August 19, 2010.

Please do not hesitate to call should you have any questions or require additional information.

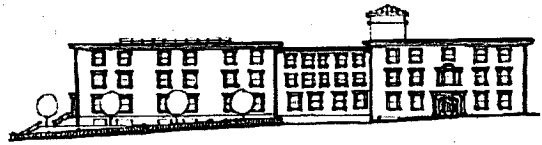
Sincerely,
Mitchell & Associates


John D. Mitchell

Enclosures

cc: Erin Cooperrider
Todd Alexander
Ben Walter
Scott Hanson

66-68 High Street
Zone Map Amendment Application

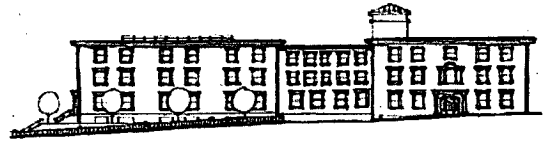


Zoning Map Amendment Application

66-68 High Street

Supplemental Information Package

66-68 High Street Zone Map Amendment Application



Executive Summary

The enclosed information is being provided to supplement Community Housing of Maine's ("CHOM") Zone Map Amendment application for 66-68 High Street. CHOM's development plan for 66-68 High Street is to create 35-units of multifamily housing through the conversion of an existing historic structure and the construction of a new addition on an undeveloped portion of the property (the "Project"). The Project is located in an R6 Zone and does not meet requirements for density, lot coverage and parking. Therefore, CHOM is applying for a Zone Map Amendment, from R-6 to R-7 Compact Urban Residential Overlay Zone ("R7 Overlay").

The Project is eligible for an R7 Overlay because 1) it is consistent with the stated purpose of the R7 Overlay, 2) it involves a site that is appropriate for an R7 Overlay and 3) it is consistent with the City's Comprehensive Plan. The Project is a moderate density compact residential development located on the peninsula and in an R-6 neighborhood characterized by moderate to high density multifamily housing and mixed business and residential zoning. The Project involves a site where an infill development opportunity exists, that is within walking distance of downtown or other work places, shopping and community facilities, and is accessible to public transit services. The Project provides an opportunity for compact in-city living for renters representing a variety of income levels and household types. Finally, the Project achieves many of the policy objectives set forth in Policy #1, #2, #3, #5 and #6 of the housing component of the City's Comprehensive Plan, *Housing: Sustaining Portland's Future*.

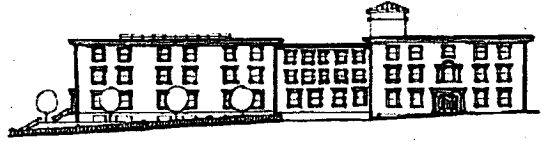
This submittal is comprised of three parts;

Section I Project Overview: The first section provides a brief overview of the Project and, although not eligible for review until the Site Plan and Subdivision stage, conceptual design plans.

Section II R7 Overlay Eligibility: The second section provides the primary documentation supporting the Zone Map Amendment request. This section details why the Project is eligible for an R7 Overlay, why this specific site, 66-68 High Street, is an appropriate parcel for R7 Overlay and how the project is consistent with the City's Comprehensive Plan.

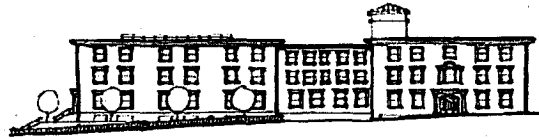
Section III Two Key Questions: The last section addresses two key questions raised by the Planning Board during the first workshop session on July 27th; 1) why is the R7 Overlay—rather than Conditional or Contract Zoning—the appropriate zoning tool to use for the Project? And, 2) should an R7 Overlay—rather than Conditional or Contract Zoning—be implemented for this project given that it will provide the property owner the right to build up to 54 housing units?

66-68 High Street
Zone Map Amendment Application



Section I: Project Overview

66-68 High Street Zone Map Amendment Application



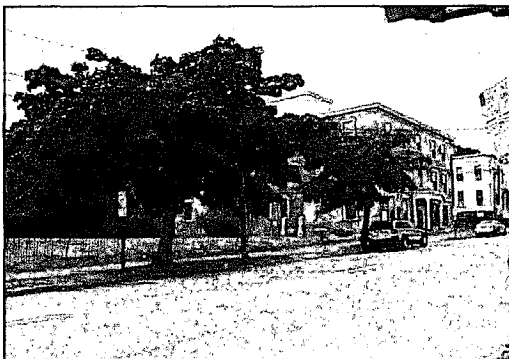
Section I: Project Overview

Housing Objective of the Project

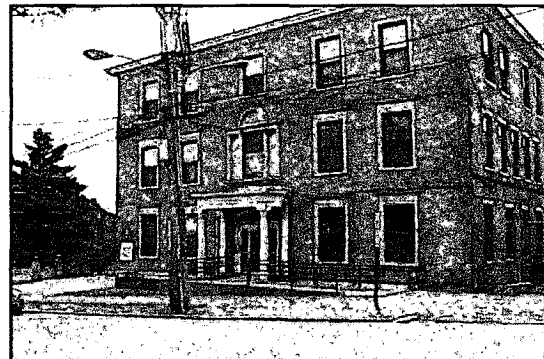
Community Housing of Maine ("CHOM") proposes to acquire and redevelop 66-68 High Street into 35 units of affordable rental housing. The complex will contain a mix of one, two and three-bedroom units, along with a community room, family play area, activity room, and a laundry facility. The property will serve low to moderate income families, who desire to live in an urban, residential neighborhood in close proximity to downtown Portland. CHOM's vision for the property is to create a high quality housing resource for the City of Portland that combines the best features of affordable housing, historic preservation, green design and smart growth principles.

The Site

66-68 High Street is comprised of a freestanding three story, 28,954 square foot brick building on a .54 acre parcel located at the corner of High and Danforth streets. The property is situated in an R-6 zone, within one city block of downtown and a B3 zone. The property is also located in one of Portland's first historic districts. The existing building was designed by Fredrick A. Tompson and constructed in 1909 to serve as the Portland's Children's Hospital. It was built as an addition to the Mussey Mansion, which occupied the undeveloped portion of the site from 1801 to 1962, at which time it was demolished. The pictures below and on the following page depict the current site, as well as the property as it existed for more than 160 years prior to 1962.

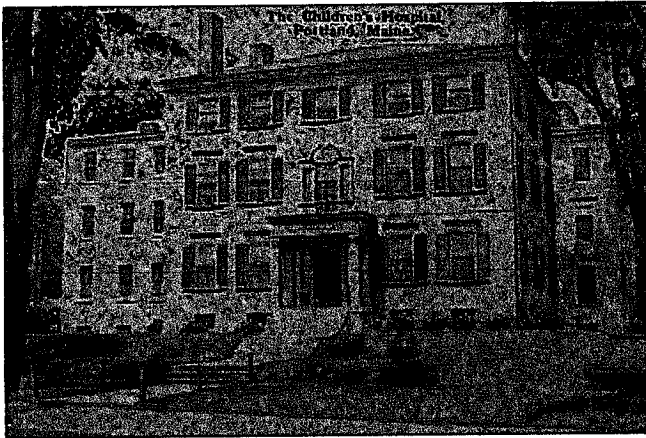
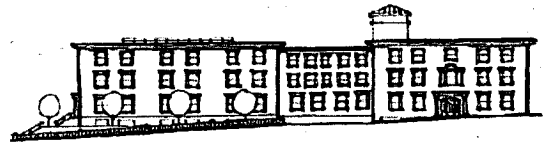


View from corner of High and Danforth Street

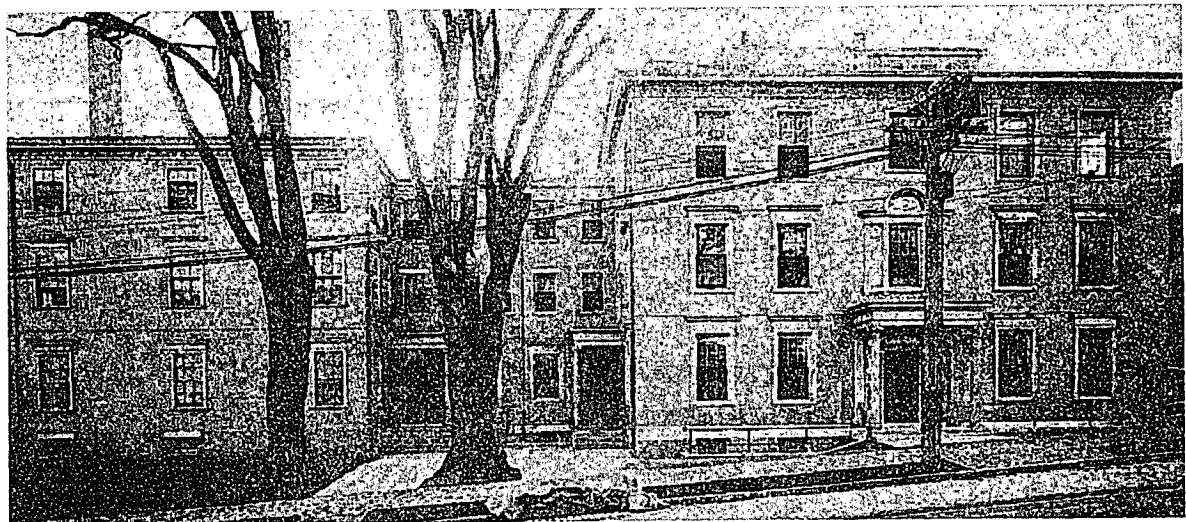


View from High Street

66-68 High Street
Zone Map Amendment Application



The Children's Hospital (and former Mussey Mansion), View from Danforth Street

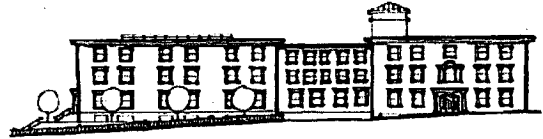


The Children's Hospital (and former Mussey Mansion), View from High Street

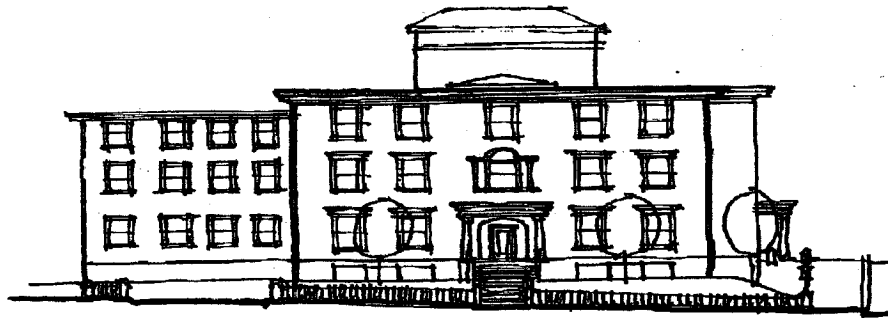
Building Program

CHOM proposes to rehabilitate the main building and convert it to 20 housing units, along with resident facilities in the daylight basement. CHOM also proposes to construct an addition with parking below grade. The addition will be built in roughly the location of the original Mussey Mansion and draw upon its massing, scale and form to embody a character appropriate to the historic district setting. The concept sketches on the following page illustrate the scale of the proposed building and outline the building footprint, parking spaces and other site features.

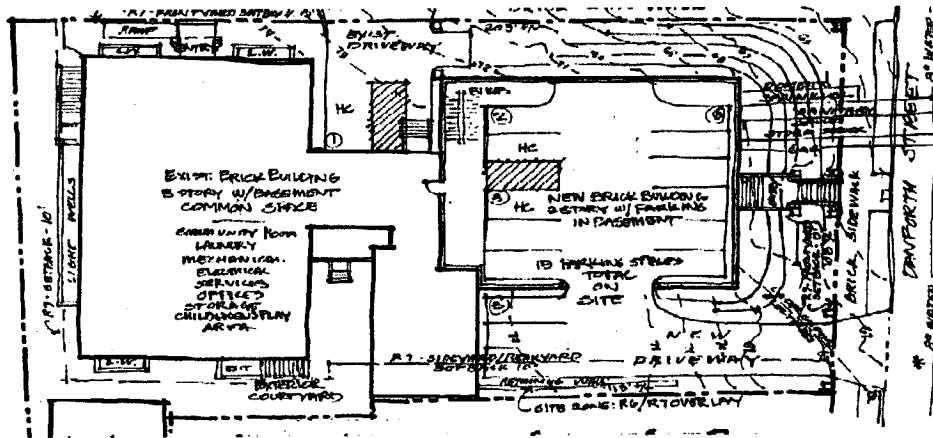
66-68 High Street
 Zone Map Amendment Application



Conceptual Design Plan. High Street Elevation. (existing building on right)

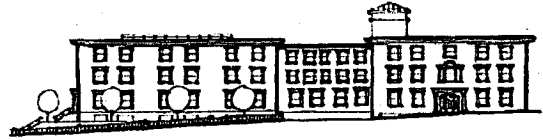


Conceptual Design Plan. Danforth Street Elevation. (existing building on right)



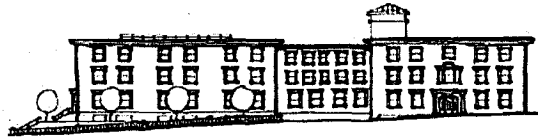
Conceptual Site Plan

66-68 High Street
Zone Map Amendment Application



Section II: R7 Overlay Eligibility

66-68 High Street
Zone Map Amendment Application



Section II: R-7 Overlay Eligibility

The stated purpose of the R7 Overlay is, *"...to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland...."* Within this purpose statement, there are three threshold tests that a project and site must meet to be eligible for an R7 Overlay. Is the proposed project;

1. **A compact residential development?**
2. **On a site that is an 'appropriate' location for an R7 Overlay?**
3. **Consistent with the city's comprehensive plan and housing plans?**

CHOM's proposed development plan for 66-68 High Street clearly meets these three threshold tests.

1. **Is the proposed project a compact residential development?**

Yes. The Project is a compact residential development of moderate to high density.

CHOM proposes to create 35 units of multifamily housing on a parcel consisting of .54 acres. The density of the Project will be 680 square feet per unit, as compared to a maximum allowable density in an R7 Overlay of 435 square feet per unit and a maximum allowable density in an R6 zone of 1,200 square feet per unit.

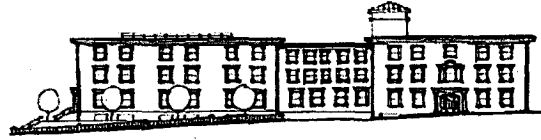
2. **Is the proposed project on a site that is an 'appropriate' location for an R7 Overlay?**

Yes. The Project is an appropriate site for an R7 Overlay, a) as the term 'appropriate' is defined in the Zoning Ordinance and b) as previously determined by the City Council.

a. Portland's Zoning Ordinance defines appropriate locations for an R7 Overlay as follows; "...locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density, multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning...."

"...moderate to high density, multi-family housing in a form and density exceeding that in the R6 Zone...": 66-68 High Street is located on the peninsula in an R6 location characterized by moderate to high density, multifamily housing that exceeds the density allowed in the R-6 Zone.

66-68 High Street
 Zone Map Amendment Application



The map and corresponding chart provided in Exhibit A documents the multifamily housing properties within the neighborhood that exceed the density for an R-6 Zone. This map illustrates that there are more than 25 multifamily housing properties within a two block radius of the subject parcel that have a density that exceeds the allowable density for the R-6 Zone. These properties consist of both for-sale (condo) and rental housing that range in density ranging from approximately 215 to 1,130 square feet per unit, in size from 5 to 168 units, in height from 3 to 7 stories and in year of construction from pre-1900 to 2009.

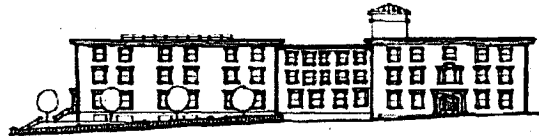
“...where an infill development opportunity exists...”: The Project is proposed for a site where clearly an infill development opportunity exists. The property consists of a nearly vacant historic building that is in good condition and, based on analysis by architects, engineers and historic consultants, can be converted to residential use in conformity with current building codes. In addition, the lot contains sufficient undeveloped land to accommodate a new addition that conforms with existing multifamily housing building codes and R7 zoning requirements.

“...and areas of the peninsula with mixed business and residential zoning...”: As depicted in the map provided in Exhibit B, the Project is proposed for a site on the peninsula that is located less than one block from downtown Portland and a high density business zone, B3.

The ordinance further defines ‘appropriate’ locations for the R7 Overlay as follows, “...Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service...” The Maine State Planning Office defines walk-able as .25 miles. As demonstrated by the maps provided in Exhibit C, the Project is located within a walk-able distance of;

downtown Portland		public parks
grocery		public library
convenience stores/markets		museums
restaurants		public parks
shopping		public school
pharmacy		churches
day care facilities		metro stops
fitness centers		Portland trail system
health care facilities		Portland waterfront
private parking garages		public parking garages

66-68 High Street
Zone Map Amendment Application



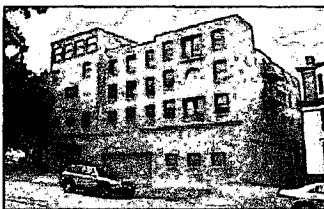
- b. The site proposed for the Project also meets the test as an 'appropriate' location for an R7 Overlay because the Planning Board and City Council have already deemed that this location and the surrounding neighborhood are suitable for an R7 Overlay, as well as high density multifamily housing developments—and, have incorporated those determinations into the Zoning Ordinance.

The City Council has approved three high density multifamily housing developments in close proximity to the Project, including one directly across High Street and a second less than one block from the Project. Each of the developments proposed a density significantly greater than the one proposed for the subject property. Yet, in these approvals, the Council specifically acknowledged that high density multifamily residential projects in this neighborhood 1) are consistent with the Comprehensive Plan and 2) would not unreasonably interfere with existing and permitted uses and/or negatively impact the surrounding residential community.

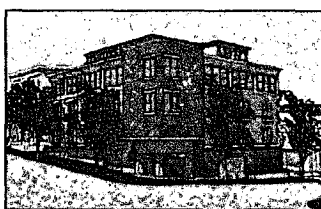
Furthermore, in the case of 81 Danforth, located directly across High Street from the Project, the City Council determined; "...WHEREAS, the proposed development is consistent with the purposes of the R7 Compact Urban Residential Overlay Zone as it is on the peninsula; in a location characterized by moderate to high density multi-family housing; within walking distance of downtown or other work places, shopping and community facilities; will have access to public transit service; and will provide opportunities for compact in-city living for owners, and possibly renters, representing a variety of income levels in small households..." The chart below summarizes each of the previously approved high density multifamily housing developments for the subject neighborhood.

Approved High Density Multifamily Housing Developments in Subject Neighborhood

Project Name	Street Address	CZ No.	Lot Size (square feet)	Units	Density (SF per unit)	Date of Approval
subject property	66-68 high	n/a	23,797	35	680	n/a
casco terrace	41 state street	C29	10,150	27	376	Apr-03
danforth on high	danforth/high	C49	7,619	26	293	Dec-07
53 danforth	53 danforth	C51	16,568	43	385	Jun-08



Casco Terrace, 41 State Street

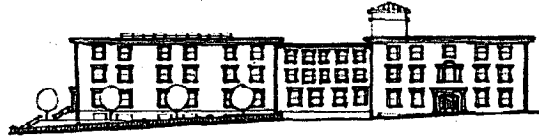


Danforth on High, 81 Danforth Street



53 Danforth

66-68 High Street
Zone Map Amendment Application



3. Is the proposed project consistent with the City's Comprehensive Plan and housing plans?

Yes. The Project is consistent with the City's Comprehensive Plan and, more specifically, the housing component of that plan, *Housing: Sustaining Portland's Future*.

Housing: Sustaining Portland's Future lays out six major policy objectives to achieve the City's housing goals and address Portland's housing shortage. Each of these primary policies outlines a number of secondary policy goals. The proposed Project is consistent with or meets at least 17 of the housing policy goals detailed in the city comprehensive housing plan;

Policy #1: Ensure an Adequate and Diverse Supply of Housing for All

- i. *Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied.*

The Project will provide affordable housing to households earning between \$20,000 and \$45,000 annually.

- ii. *A variety of housing choices should be available such that no one should have to spend more than 30% of their income for housing.*

The Project will be financed with low income housing tax credits, a financing tool specifically designed to set rents at affordable levels—i.e. approximately 30% of household income—for low and moderate income households.

- iii. *Encourage higher density housing located near services, such as schools, businesses, institutions, employers, and public transportation.*

As previously documented, the Project is a moderate density development near the services and facilities listed above.

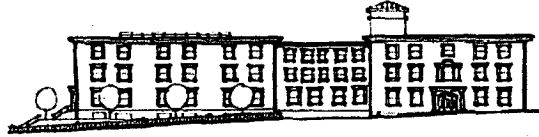
- iv. *Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords.*

The Project will bring 35 new units into Portland's rental housing stock.

- v. *Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.*

The Project involves a parcel that—as a result of the demolition of a historic property in the 1960's—has a large undeveloped component.

**66-68 High Street
Zone Map Amendment Application**



Policy #2: Preserve a Quality Housing Stock

- i. Assist with the restoration and rehabilitation of architecturally significant residential properties within and outside of Portland's historic districts.*

The Project involves the historic rehabilitation of a building located in Portland's first historic district.

- ii. Target vacant buildings for maintenance, rehabilitation and reuse.*

The Project involves a nearly vacant building that can be converted to residential use.

Policy #3: Neighborhood Stability and Integrity

- i. Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of the City's residential neighborhoods.*

The Project's conceptual design thoughtfully borrows directly from the scale and massing of the historic building that occupied the site for 160 years.

- ii. Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.*

As documented previously, the Project is located in close proximity to the neighborhood assets listed above.

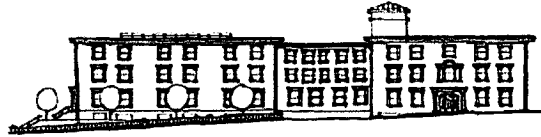
- iii. Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.*

As an affordable housing property with a mix of one, two and three bedrooms, the Project will add socio-economic diversity to the neighborhood

Policy #5: Sustainable Development

- i. Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services and an affordable tax rate.*

66-68 High Street
Zone Map Amendment Application



The Project will provide diverse housing choices, proximity to services and employment and—by converting a tax-exempt property to a taxable property—expand the city's economic base.

- ii. *Maximize development where public infrastructure and amenities, such as schools, parks, public/alternative transportation, sewer lines and roads, exist or may be expanded at minimal costs.*

As documented previously, the Project is located in an urban setting that is serviced by the public infrastructure and amenities listed above.

- iii. *Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing.*

The Project will bring 35 new units into Portland's rental housing stock and be affordable to households working in many peninsula-based occupations.

- iv. *Locate and design housing to reduce impacts on environmentally sensitive areas.*

As an urban infill development involving the adaptive reuse of an historic structure, the Project is designed from the beginning to reduce the environmental impacts associated with new development.

- v. *Design housing to use new technologies and materials that reduce costs and increase energy efficiency.*

The Project is being designed to achieve LEED Silver certification.

Policy #6: Freedom of Choice

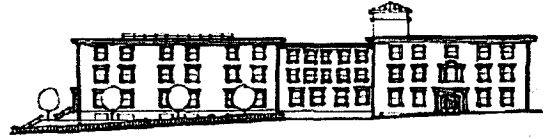
- a. *Increase and ensure equal access to housing opportunities for minorities, low-income people and persons with disabilities and special needs.*

As documented, the Project will increase access to high quality housing for households of low and moderate income.

- iii. *Ensure that an adequate supply of new and existing housing is accessible to persons with physical disabilities.*

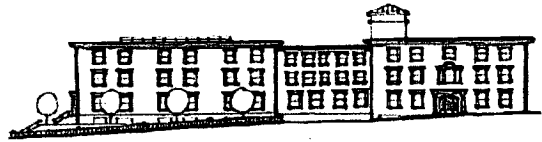
The Project has committed as part of its financing application to MaineHousing to provide a high number of fully-ADA compliant units than is required under state and federal building codes.

66-68 High Street
Zone Map Amendment Application



Section III: Two Key Questions

66-68 High Street Zone Map Amendment Application



Section III: Two Key Questions

This section address two key questions raised by the Planning Board during the July 27th Work Session.

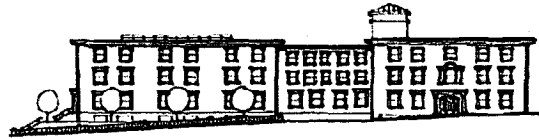
1. Why is the R7 Overlay—rather than Conditional or Contract Zoning—the appropriate zoning tool to use for the Project?

A R7 Overlay is the appropriate zoning tool to use for this Project for two reasons;

- a. The R7 Overlay was incorporated into the Zoning Ordinance “...to encourage and accommodate....” moderate and high density multifamily housing in appropriate locations on the peninsula and consistent with the city’s Comprehensive Plan. To the extent that there is a proposed development that is 1) moderate to high density multifamily housing, 2) in an appropriate location, 3) consistent with the City’s Comprehensive Plan AND 4) can be developed in conformity with R7 zoning standards, then the R7 Overlay is the tool created by the City Council to encourage and accommodate that development. The enclosed information clearly illustrates that the Project meets the three threshold tests outlined above. Furthermore, the Project as proposed can be developed in conformity with all R7 zoning standards, as detailed in the zoning analysis below.

Description	Residential R-6	Residential R-7	Proposed Project
Multi-family Dwellings	Permitted	Permitted	---
Minimum Lot Size	4,500 Square Feet	None	23,797 Square Feet
Minimum Street Frontage	40 Feet	None	200 Feet
Minimum Front Yard Setback	10 Feet	None	15 Feet
Minimum Side Yard Setback	10 Feet (3 Stories)	5 Feet	25 Feet
Minimum Rear Yard Setback	20 Feet	5 Feet	30 Feet
Minimum Lot Width	50 Feet	30 Feet	200 Feet
Maximum Lot Coverage	40 Percent (20+ Units)	100 Percent	57 Percent Building Coverage 76 Impervious Surface Coverage
Maximum Density	1,200 SF/Unit	435 SF/Unit	680 SF/Unit
Maximum Bldg. Height	45 Feet	50 Feet	45 Feet
Open Space Ratio	30 Percent (20+ Units)	None	24 Percent
Parking Spaces	2 Spaces / Unit plus 1 space/6 units	1 Space / Unit	15 Spaces (Building Addition)

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It is important to note that there have been three comparable multifamily housing developments located in close proximity to the Project that have been approved by the City Council under Conditional or Contract Zoning. These three projects—41 State Street (Casco Terrace), 53 Danforth and 81 Danforth—required conditional zoning because, in part, they did NOT meet R7 Overlay zoning requirements for density and parking; that is, these projects could not be developed under an R7 Overlay and, therefore, required conditional zoning. The proposed Project is materially different from the three previous multifamily housing developments approved for this neighborhood in that it can be built in compliance with R7 zoning standards.

- b. Conditional or Contract Zoning is intended, generally, as the zoning tool of last resort and, specifically, for the purpose of ensuring that a development project, which has a unique or unusual feature is ultimately consistent with the City's Comprehensive Plan.

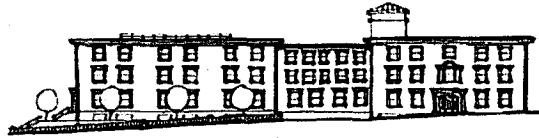
As indicated above, the Project can be built using an R7 Overlay and, as such, the R7 Overlay is the least restrictive tool available to the Planning Board and City Council to encourage and accommodate the proposed development. The fact that the Project can be developed using an R7 Overlay further suggests that there is not an unusual nature or unique location of the development. Finally, as demonstrated within this submittal, the Project is consistent with the city's Comprehensive Plan, and, going forward, the Planning Board and City Council can ensure that this project remains consistent with the Comprehensive Plan using the R7 Overlay, as well as Site Plan and Subdivision review.

- 2. **Should an R7 Overlay be utilized for this project—rather than Conditional or Contract Zoning—given that it will provide the property owner the right to build up to 54 housing units (even though the applicant only proposes 35 units)?**

Any concern that 54 units could theoretically be developed on the site should a R7 Overlay be approved is mitigated by the three factors;

- a. **Remaining Regulatory Review Process:** If an R7 Overlay is approved, the Planning Board and city will regulate what is ultimately developed on this site through the Site Plan and Subdivision approval process. Of particular note, since the site is located in a locally designated historic district, any development involving this property must also receive a Certificate of Appropriateness from the city's Historic Preservation Board as part of the Site Plan review. In issuing that certificate, the board will apply the Secretary of Interior Standards for Historic Preservation—which include review of any new construction and

66-68 High Street
Zone Map Amendment Application



additions. Therefore, even after an R7 Overlay is approved, the city will continue to have direct purview over the scale, massing and density that is proposed for this site.

To support the case outlined above, the concept development plans presented in this submittal are based directly on feedback the project team received during initial discussions with its historic consultant and the city's Historic Preservation Program Manager. Based on this initial input, it is unlikely that a 54-unit project—and the associated building mass necessary to accommodate that number of units—could receive a Certificate of Appropriateness from the Historic Preservation Board.

b. **Practical Finance Limiting Considerations:** CHOM has received a preliminary financing approval from MaineHousing based on a 35-unit project. If the unit count is increased, CHOM will have to resubmit a financing plan to MaineHousing, thus jeopardizing the in-place financing commitment for the Project.

c. **Practical Site Limiting Considerations:** Notwithstanding Historic Preservation Board approval, the maximum number of units that this site can accommodate under the R7 Overlay is significantly restricted by physical site issues. Specifically, the R7 Overlay requires a 1:1 parking ratio for each unit added to the site as part of a new addition. Absent multi-level structured parking—which is financially and politically infeasible—the site can only accommodate an estimated 17 parking spaces and, therefore, 17 apartment units in the new addition. The existing building because of its layout and historic nature has physical constraints that make it highly unlikely that it could accommodate 34 marketable units. (CHOM is proposing 20 units in the existing building based on input from its architect, engineer, and historic consultant, as well as findings from a market study.)

Notwithstanding the three mitigating factors outlined above, it is also important to note that Conditional or Contract Zoning is not an absolute safeguard that 35 (or fewer) units will be developed on this site. For example, the conditional zone process might result in negotiated site development requirements that increase the total development costs, which in turn could necessitate a higher number of units (and rental income) to offset those costs. Or put another way, in terms of policy, the negotiated site development requirements may be a higher priority for the city than capping the project to 35 units. As demonstrated by the three most recently approved multifamily housing properties near this site, there is strong precedent for the Planning Board and City Council to support much higher densities in this neighborhood through Conditional and Contract Zoning than the density proposed for the Project.

66-68 High Street
Zone Map Amendment Application

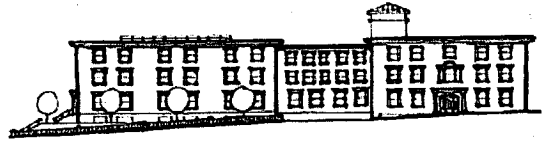
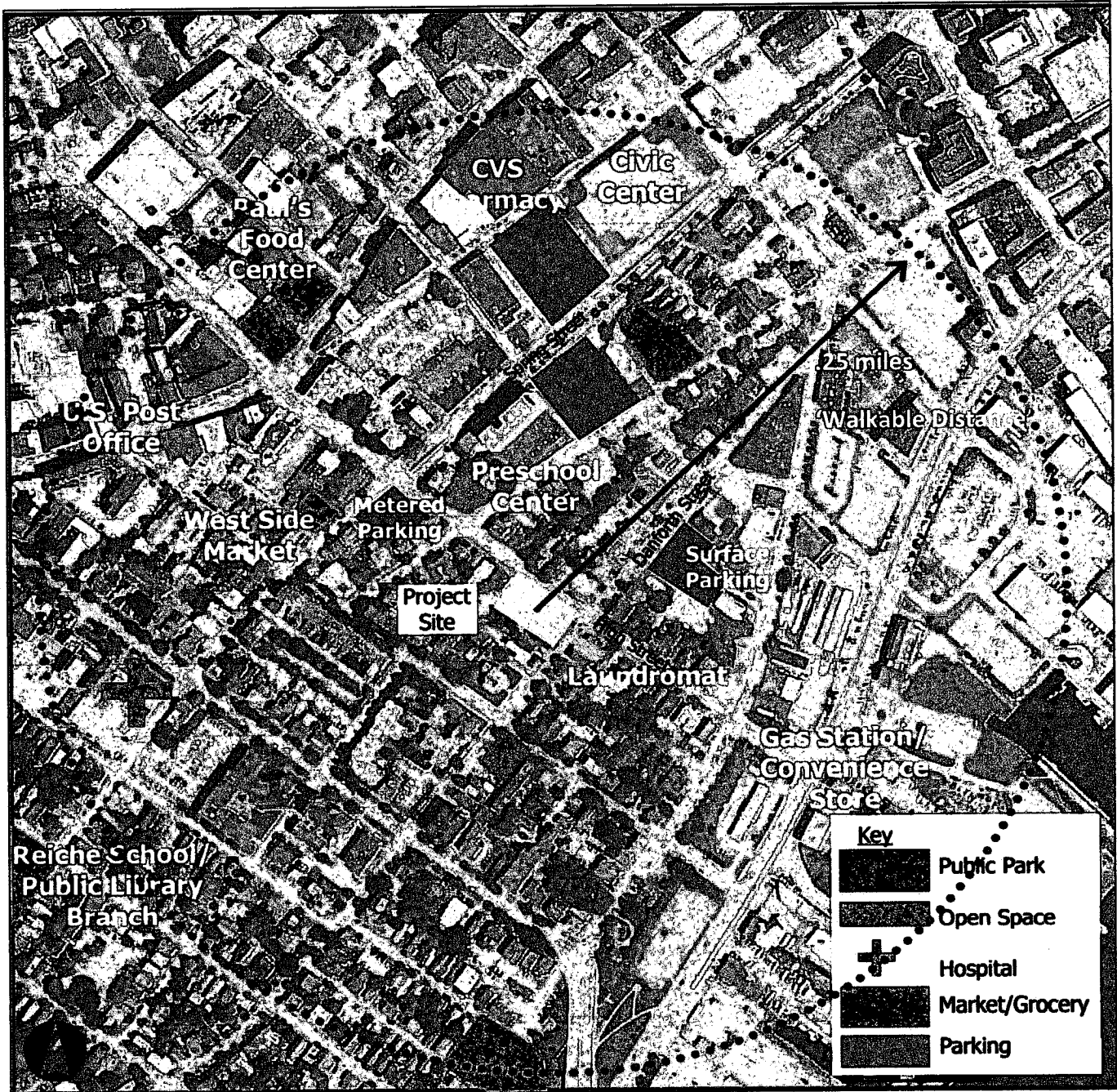
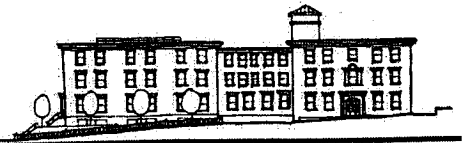


Exhibit C:
Maps: Neighborhood Assets & Off-Street Parking



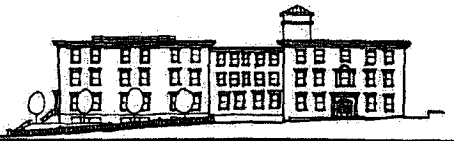
66-68 High Street



NEIGHBORHOOD MEETING

August 19th, 2010

66-68 High Street



SCHEDULE/AGENDA

1. **Introduction (Todd Alexander | Community Housing of Maine)**
 - a. Housekeeping Items
 - b. Why are we here?
 - c. Our Vision

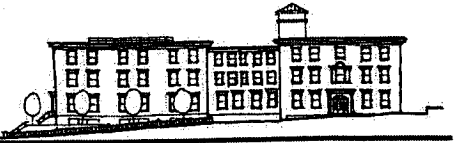
2. **Conceptual Design Plans**
 - a. Historic Site (Scott Hanson | Sutherland Conservation & Consulting)
 - b. Building Design (Ben Walter | CWS Architects)
 - c. Site Plan (John Mitchell | Mitchell & Associates, Landscape Architects)

3. **What makes this 'affordable' and 'workforce' housing? Who's going to live here? (Todd Alexander | CHOM)**
 - a. Affordable Housing
 - b. Workforce Housing

4. **Why is CHOM doing this?**

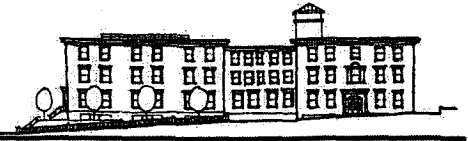
5. **Public Comment/Q&A**

66-68 High Street



<<PLACE HOLDER: HISTORIC SITE SLIDES>>

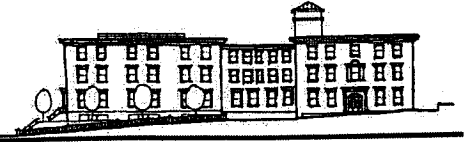
66-68 High Street



CONCEPTUAL DESIGN: BUILDING ELEVATION FROM HIGH STREET



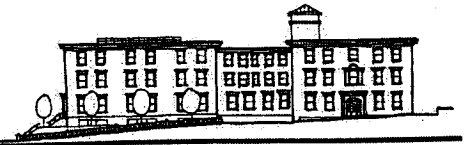
66-68 High Street



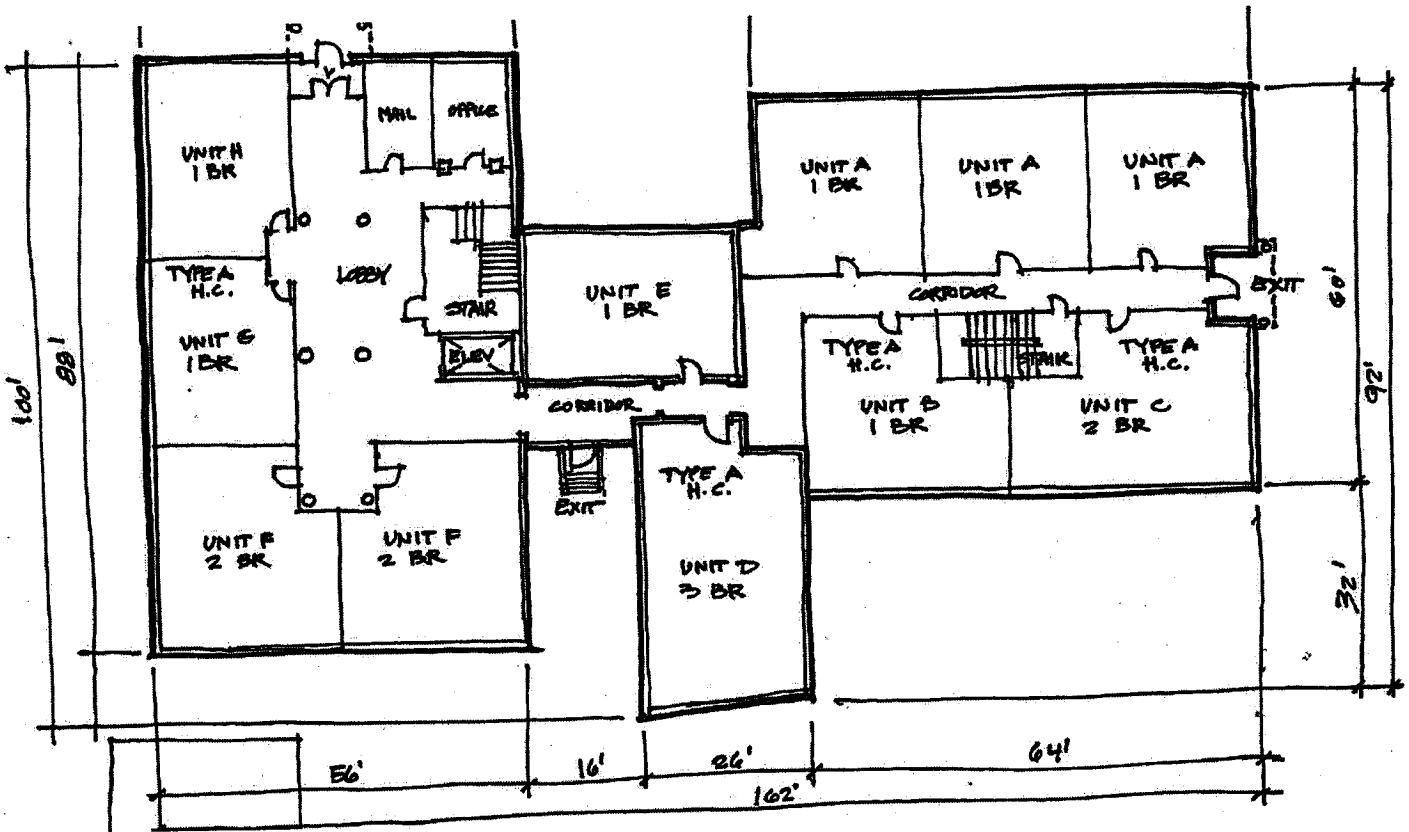
CONCEPTUAL DESIGN: BUILDING ELEVATION FROM DANFORTH STREET



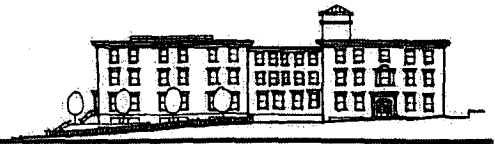
66-68 High Street



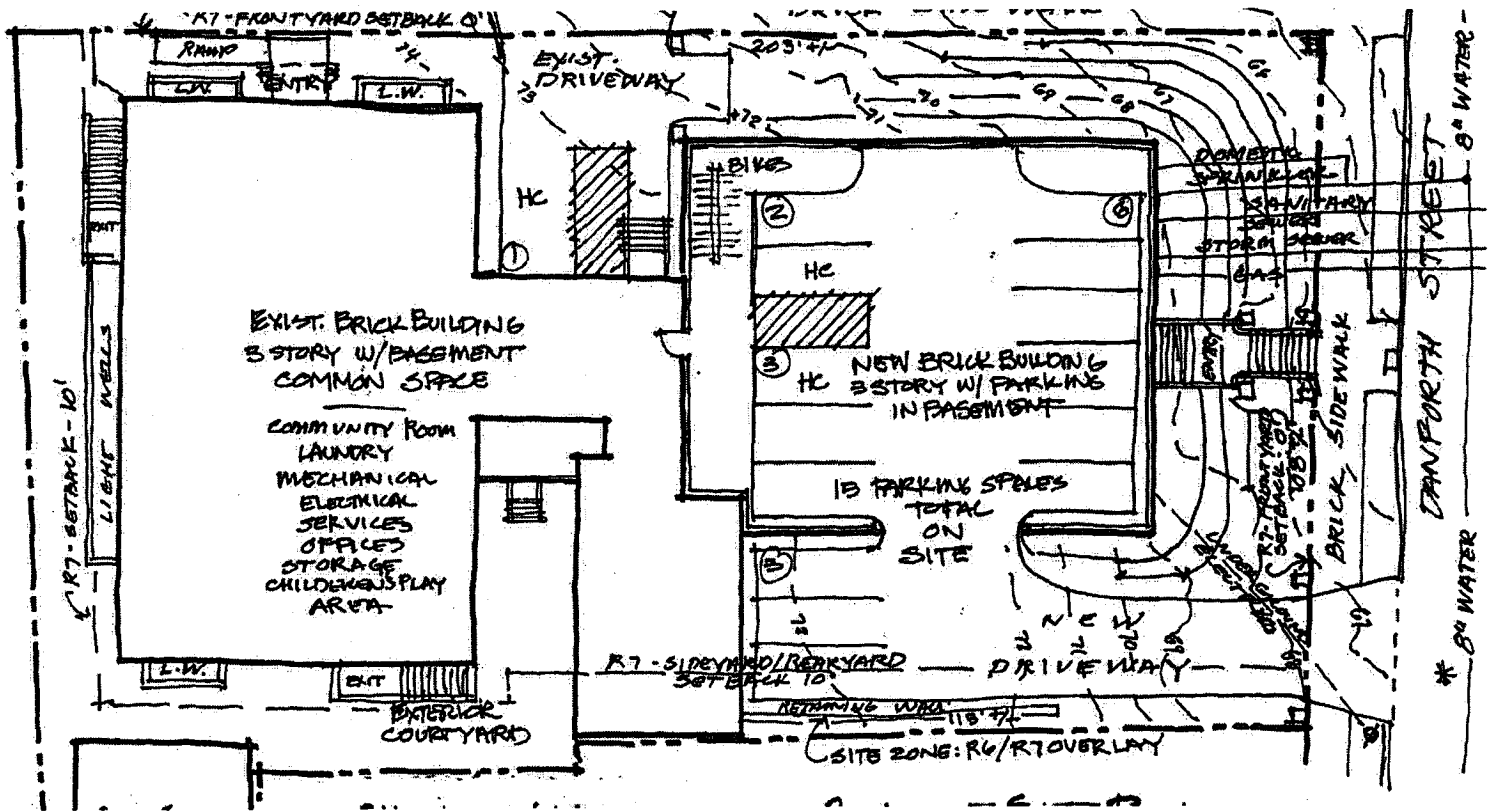
CONCEPTUAL DESIGN: REPRESENTATIVE RESIDENTIAL FLOOR PLAN



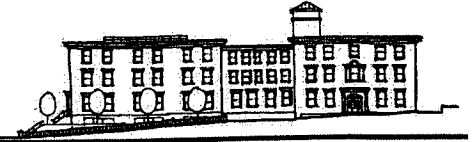
66-68 High Street



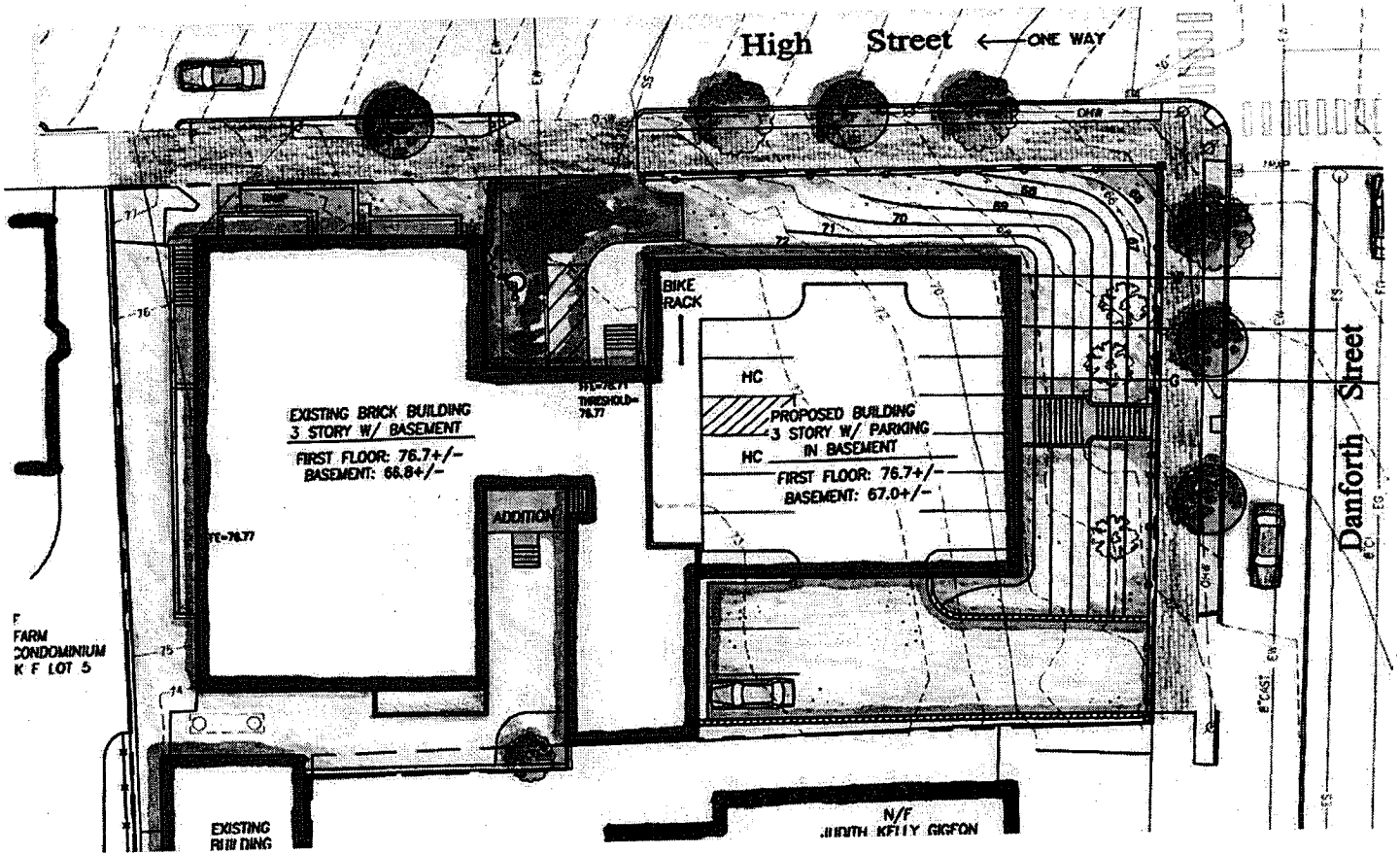
CONCEPTUAL DESIGN: BASEMENT LEVEL / GARAGE FLOOR PLAN



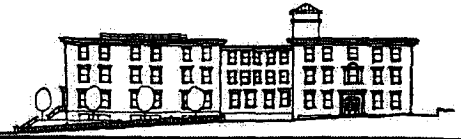
66-68 High Street



CONCEPTUAL DESIGN: SITE PLAN



66-68 High Street



WHAT MAKES THIS 'AFFORDABLE' AND 'WORKFORCE' HOUSING? (WHO WILL LIVE HERE?)

o Affordable Housing:

- As a condition of the financing that the project will receive, there will be a 1. maximum income that an applicant can have to be eligible to live at the property and 2. a maximum rent that we can charge. Those maximums are below 'market' averages.
- If the property was operating today, the maximum income and rent levels would be;

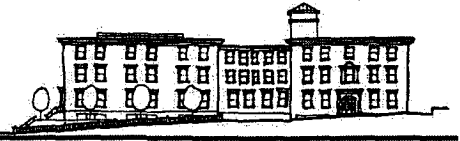
Estimated Maximum Income Caps

Household Size	Maximum Income Levels		Portland Median Income
	Type I Apts	Type II Apts	
1 person	\$25,500	\$30,600	\$51,000
2 person	\$29,150	\$34,980	\$58,200
3 person	\$32,800	\$39,360	\$65,500
4 person	\$36,400	\$43,680	\$72,800

Estimated Maximum Rents

Unit Type	66-68 High Asking Rents		Market Rents
	Type I Apts	Type II Apts	
1 bedroom	\$635	\$775	\$930
2 bedroom	\$765	\$925	\$1,110
3 bedroom	\$880	\$1,065	\$1,295

66-68 High Street



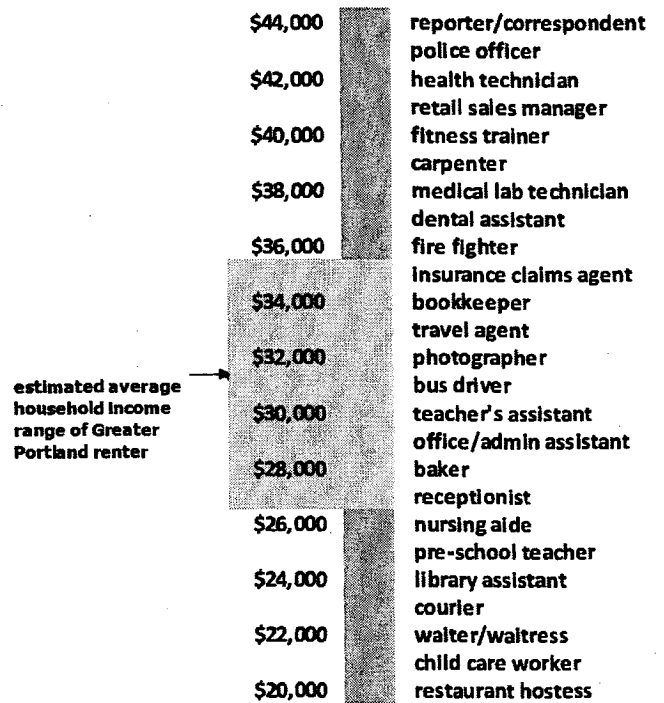
WHAT MAKES THIS 'AFFORDABLE' AND 'WORKFORCE' HOUSING?

o Workforce Housing:

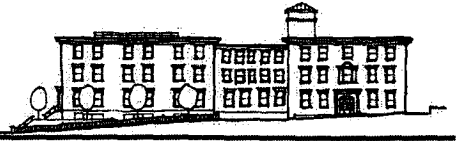
➤ Regardless of maximum income levels, an applicant must also demonstrate the ability to pay the asking rent.

➤ If the property were operating today, the income range that an applicant should be within to be eligible to live at the property would be approximately \$20,000 to \$44,000, depending on household size. This range compares favorably to the average household income of the average renter in Greater Portland, as well as average wages for many peninsula based occupations.

Estimated Minimum and Maximum Income Levels of Eligible Applicants as Compared to Average Wages by Occupation in Portland MSA



66-68 High Street



WHY IS CHOM DOING THIS?

○ CHOM'S mission is to create, own and operate housing for at-risk and underserved populations. In Greater Portland (and other areas of Maine), low and moderate income households are an at-risk and underserved population as it relates to high-quality affordable rental housing. The problem in Greater Portland is two-fold; 1) severe lack of supply, 2) average rents are unaffordable for the average renter.

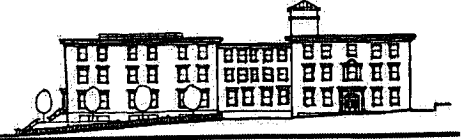
○ Lack of Supply:

- Portland just completed its Strategic 5-Year Consolidated Plan for Housing & Community Development and determined that the city requires 3,408 new rental units over the next 15 years to meet projected new demand—a production rate of roughly 225 apartments per year.
- A market study completed this spring determined that the vacancy rate for affordable rental properties in Greater Portland is estimated to be 2.0% -- which, factoring in down units as part of normal unit turnover, translates to an effective vacancy rate of 0%.
- CHOM recently completed a phone survey of comparable rental properties on the Portland peninsula representing more than 1,200 units. Included market rate, mixed income and affordable properties. Total number of vacant units: 14.

○ Low Affordability:

- The average income required to afford the average 2-bedroom apartment in Greater Portland is \$41,225. The average renting household in Greater Portland earns between \$27,225 and \$35,313 annually.
- There are 15,750 renters in Portland. Of these 42% are either Cost Burdened or Severely Cost Burdened.

66-68 High Street



END OF PRESENTATION

PLEASE SIGN IN

Name	Address	Phone	Email
Jean Donner	88 Park St. #1 (04101)		Joana@myfairpoint.net
Sheryl McGinnis	5 Shattuck Pl	774-5030	SSE smcgins6@gmail.com
David Fenton	796 Park St		crossleer32@yahoo.com
Karen Harrison	PO Box 7784 / 04112	774-0025	karen.harrison@maine.edu
ANN PRINGLE FOR ALEX PRINGLE	70 HILLS 04101	318-5019	OLDMAYR@MANS.M.C.
Isabel Anderson	124 Pleasant St.	776-3311	isaudev ¹⁹³⁶ @yahoo.com
DAVID LACASSE	80 HIGH ST	831-1980	LOAFKIT@MAINE.RR.COM
JANE FORAN	94 PARK ST	329-7579	JANE FORAN 2 AOL.COM
Judith Kelly	97 Danforth	415-6423	jikelly1@maine.rr.com
Ellen Call	77A Park St. 04101	761-2888	CallEllenFWM@aol.com
Tilly Weyl	59 State St. # 47		etweyl@gmail.com
Rosanne Graef	30A Salem St. 04102		rgraef@qwi.net
John HARRISON	67 High St.	773-1376	67HighSt@gmail
Joseph Thompson	67 High	773-1376	j7731376@gmail
Hilary Bassett	93 High St, Greater Portland Landmarks	774-5561	hbassett@portland Landmarks.org
Nate Hinkel-Bauer	78 High St. #1		
Tanya Richards	74 High St #2		tanyanas@gmail.com
Christine Hey	74 High St		Chye Maine.RR.COM

Children's Hospital Neighborhood Meeting 8/19/2010

Neighbors in attendance: Justine Alynn, Isabel Anderson, Hillary Bassett, Ellen Call, Jamie Campbell, Joan Donnen, Nancy Dorrans, David Fenton, Jane Foran, Rosanne Graef, Steve Graef, John Harrison, Karen Harrison, Christine Heye, Nate Huckel-Bauer, Judith Kelly, David LaCasse, Pandora LaCasse, Pamela Lord, Sheryl McGinnis, Ellen Murphy, Anne Pringle, Tanya Richard, Sarah Schindler, Robert Theberge, Joseph Thompson, Tilly Weyl.

CHOM Staff in attendance: Todd Alexander, Erin Cooperrider, Cullen Ryan, Kyra Walker, and Lee Andrews

Other collaborative partners in attendance: Scott Hanson, Ben Walter, John Mitchell and Sashie Misner.

Meeting called to order by Todd Alexander at 6:38pm.

1. Todd gave a brief introduction of CHOM, what we do and who we are. Todd introduced the development team- himself and Erin Cooperrider.
2. Erin introduced other CHOM staff including the Asset Management team, Kyra Walker and Lee Andrews, and Cullen Ryan, the Executive Director. The design team was introduced Scott Hanson, Sutherland Conservation & Consulting; Ben Walter, CWS Architects; and John Mitchell, Mitchell & Associates, Landscape Architects.
3. Why is CHOM here?
 - a. CHOM has started the permitting process and wanted to provide information and get feedback from the neighbors.
 - b. CHOM is a non-profit housing developer with 14 years of experience. CHOM is different from other non-profit housing developers because of the collaborative approach used. CHOM collaborates with the neighbors, various service providers, architects, landscapers, etc. CHOM believes that good collaboration equals success. Erin suggested people visit the website to better understand CHOM's work and experience www.chomhousing.org
 - i. **Q:** Where on the peninsula does CHOM have other projects?
A: Erin responded; there are none on the peninsula yet and that is mainly because there is already a lot of talent in the development of affordable housing in Portland. The motivation to do this project was the opportunity introduced to CHOM to do something really great with this building in particular.
 - c. Name for the project – there is not a name for the project currently. The goal is to do a great project with support from the neighborhood and the city; this will be CHOM's neighbor as well. Given the building, the neighborhood, and the CHOM team, we know that we can achieve success. There will be ongoing collaboration to ensure this project remains successful.
4. Scott Hanson, Sutherland Conservation & Consulting – Scott's involvement with this project is focused on guiding the process for use of historic preservation tax credits and approvals through the Historic Preservation Board.
 - a. History of site – Scott gave a brief history of the Mussey Mansion which was built in 1876. In 1910 the Mussey Mansion was combined with Children's Hospital. In 1909 the Children's Hospital was completed extending onto High Street and it stood this way from 1909-1962. In 1942 the mansion was covered with ivy and the fence was installed, which still stands today.
 - b. The new plan – the goal is to restore the site to the existing building footprint. For ¾ of the time the building existed, there was a structure that extended onto High Street.
5. Ben Walter, CWS Architects - has collaborated with CHOM for 6 years. CWS has mostly focused on multifamily housing and restoration work. CWS tends to work in more urban settings in restoring historic buildings to allow an additional 100 years of use. Their most recent work has been the Bessey School in Scarborough. This project is a similar restoration to High Street in that they are historic tax credit, affordable housing, and historic

preservation rehabilitation projects. CWS's most current work with CHOM includes Maine Hall in Bangor, also a historic restoration for affordable housing on the Bangor Theological Seminary campus.

- a. First approach - what is the best way to restore the historic building? Preserve the character of the lawn that wraps around the building. The terrace lawn in the design reflects that. Every historic photo shows elm trees; in the last 10 years they have developed new strains of elm trees that are disease resistant. Part of the project will re-introduce new elm trees. The elevator tower is an existing component, when looking at the historic photos it doesn't show the height.
 - i. **Q:** Pamela Lord - what are the utilitarian aspects of the building?
A: The plan of building comes first. Todd responded that we can talk further about that after the design presentation.
- b. Site sketch - there are several ideas for trash removal, one being the utilization of the service ally considering the original intent to use this area was for trash removal. Erin explained that some other specific ideas include an internal trash room and then the trash would be wheeled out to sidewalk. A dumpster is another idea. Todd added that one of the nice features in the building is the direct access to the back parking lot from the basement.
 - i. **Q:** Joseph Thompson - what is the minimal level of LEEDs certification required for this project?
A: Erin - while there is no requirement, CHOM's internal goal is to gain silver certification.
 - ii. **Q:** Nancy Dorrans - what is LEEDs?
A: Ben - Leadership in Energy & Environmental Design (LEED) is a green building certification system, providing third-party verification that a building was designed and built using strategies intended to improve performance in metrics such as energy savings, water efficiency, CO2 emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. Even though it is not required at this property, we may go for a LEED certification.
 - iii. **Q:** David Fenton - how are you going to heat the building?
A: We are not sure yet. We are looking at the building as a whole and will see what the most efficient heating system available is. We will undergo energy modeling to find the best return on our investment. Erin asked David if he has a preference. David's preference would be gas and something highly efficient.
- c. Ben went back to the site plan to discuss parking. The idea is to conceal parking so it doesn't look like a parking lot. Similar to the Victorian Mansion there would be a ramp leading down to parking so it would be below street level.
 - i. **Q:** Ellen Call - how many spaces will there be?
A: There is no definite answer yet, but the intent is to make adequate parking for the building.
 - ii. **Q:** Will most of the clients have cars?
A: There is a 15 parking space requirement. We are looking into alternate solutions such as a shared car for the property and/or renting additional parking spaces at another location.
 - iii. **Q:** Isabel Anderson - David Marshall said that the project would be feasible for people because it is only 1 block from Congress St, but it is actually 3 blocks, and that a grocery store is 3 blocks when it is actually 6 blocks away. This is not realistic in the winter for people who do not have vehicles.
 - iv. **Q:** Rosanne Graef - is there a requirement for 1:1 parking? Will every tenant have a parking space?
 - v. **Q:** Sarah Schindler - what are the permitting requirements?
A: The zone amendments - R7 compact residential overlay zone for this parcel. The purpose is to encourage and support high density traffic.
 - vi. **Q:** Pamela Lord - what is the average size of one unit?
A: 600 square feet for a 1BR, 800 square feet for a 2BR, 1000 square feet for a 3BR.

6. John Mitchell, Mitchell & Associates, Landscape Architects – John’s role is to assist in site design and to take the project through the permitting process. The site design is still in the conceptual stage. The site is a little over ½ an acre in size and is within the R6 zone, but is also eligible for the R7 compact overlay zone, which is what CHOM is requesting from the city. The former mansion is located on an elevated plateau facing Danforth Street. The proposal is to renovate the existing building into residential housing, construct a new edition on the former footprint of the Mussey Mansion, restore the grass slope on Danforth Street and High Street, and build a new stairwell to resemble the former stairwell. Access to the building will be off of Danforth, 110 feet from the intersection. There will be access through the basement to 11 parking spaces and there will be 4 additional spaces including a handicapped space. There will be a gated service entry for maintenance, etc. There will be new elm trees, with the remainder of the property landscaped with shrubs and trees. The minimum front yard setback is 15 feet from the building, under R7 there is no set back requirement. The side yard proposal is a 25 foot setback, R7 requirements are 5 feet. The rear yard proposal is a 30 feet setback, R7 requirements are 5 feet.
7. Todd – What is Affordable Housing? The Low Income Housing Tax Credit (LIHTC) program is the actual terminology. You will also hear the term “Workforce Housing” used as well.
 - a. Data – What makes this affordable housing? The maximum income limit for residents is based on family size and there is a maximum rent limit depending on the unit size. The rents are slightly below market rents.
 - b. Workforce Housing – there is a minimum threshold for what the income has to be in order for someone to live in workforce housing. Generally that income falls between \$20,000 and \$44,000 annual income per year.
 - c. Why is CHOM doing this? CHOM’s mission is to own, operate, and manage at risk and underserved populations. There is a lack of affordable units in Portland’s housing market. Studies show that Portland needs to gain 3,400 additional rental units to meet the new demand. Vacancy rates hover at 1.5 -2% for affordable housing in Portland. CHOM conducted an internal survey and found that of 1,200 affordable housing units in Portland, only 14 of them were vacant. The average renter in Portland cannot afford the average rents. If someone is spending more than 30% of their gross income on rent or a mortgage, they are considered overburdened.
 - i. Q: What towns are included in the greater Portland survey?
A: Not sure if areas of Westbrook and South Portland are included.
 - ii. Q: Pamela Lord – who will manage this project?
A: CHOM will be the General Partner/owner of the property and will hire a third party manager to run the day to day operations. CHOM currently has a relationship with Preservation Management (PMI) and plans to have them manage this property. PMI is based out of South Portland and manages 1,250 units in Maine and over 7,100 units nationally.
 - iii. Q: Robert Theberge – what are the economics of the project? By my estimates, the cost will be \$242,000 per unit (8.5 million). How will affordable rents provide enough revenue to operate this property? Will rents be subsidized?
A: Rents will not be subsidized. Rental revenue will cover operating costs and the funding of a replacement reserve account. The LIHTC program was created as a mechanism to create affordable units with minimal (payable) debt. The LIHTC program incentivizes private investors to buy tax credits that the developer has been awarded which generates the financial resources to create affordable housing.
 - iv. Q: David Fenton – is the money only coming from historic tax credits?
A: More than \$2 million is. CHOM applies once for a 10 year allocation.
 - v. Q: David Fenton – would CHOM consider not adding the addition?
A: We need to get to a minimum threshold of units in order to create enough cash to cover operating expenses.
 - vi. Q: David Fenton – did you find that you could not do the project without the addition?
A: 35 is not the exact number, but more than 20 units are needed.
 - vii. Q: Anne Pringle – could we see a pro-forma that demonstrates the project is financially feasible and will not be possible with fewer units?

- viii. **Q:** Robert Theberge – does the Planning Board ask for a business plan? My concern is with the density being proposed in an R6 zone. If you can do 20 units in the R6 zone I would be happier with that.
A: It is very early on in the process so I am unaware if a business plan is required. A 20 unit property will not generate enough revenue to pay for the operating costs of the project.
- ix. **Q:** Ellen Murphy – what is the apartment size breakdown? Who do you expect to live in the property in terms of determining density?
A: There will be 20 (1 bedrooms), 12 (2 bedrooms) and 3 (3 bedrooms). We anticipate that the property will have an average of 1.5 people per bedroom with a comparable population to 51 Danforth St. Tenants will range from seniors to single people who want affordable housing on the peninsula in a professionally managed building. In our 3 existing workforce housing projects, tenants are primarily single parents with kids. The majority of our other residents are elderly, disabled, or single people starting their careers.
- x. **Q:** Karen Harrison – is there a mechanism to develop this property without going for the R7 zone change?
A: We need an R7 zone change as it will allow up to 57 units to be created. If the zone change was approved, but the project was never completed, the next project would also need approval from the city before it could move forward. In Portland, the Historic Preservation Board would need to issue a certificate of appropriateness; 57 units wouldn't happen automatically.
- xi. **Q:** Why not just apply for a contract zone?
A: We have been guided by city staff to apply for an R7 zone change.
- xii. **Q:** Pandora LaCasse – how many people per unit do you envision in these units?
A: No more than 2 people per bedroom.
- xiii. **Q:** Pandora LaCasse – I looked at the CHOM website and it seems that this project is larger than most of the projects that you have developed.
A: CHOM and our management company have a lot of experience. We are very proud of our smaller supportive housing properties that are featured on our website. We have developed other workforce housing properties throughout the state (In addition to 66-68 High St - 3 are complete, 2 are under development). Though CHOM isn't large enough to manage this many units in house, PMI is a national management company with a lot of experience. CHOM will continue to work closely with PMI after initial lease-up.
- xiv. **Q:** Hilary Bassette – our group would like to meet with your team.
A: Great!
- xv. **Q:** Anne Pringle – will you allow people to stay in their unit if their income goes up or will they be forced to move out because they will be considered over income? Will you take Section 8 vouchers? Can you change the use of this housing from affordable to supportive housing in the future? What will happen if the project doesn't work?
A: There are many people involved in reviewing the feasibility of this project. Rental income will support operations. The commitment for affordability is long-term (90 years) and there won't be a change of use. Residents are recertified by management annually and in most cases can stay in the property as their income increases. Section 8 vouchers will be accepted.
- xvi. **Q:** Anne Pringle – the vacancy rates that you presented seem low. Can we see the survey showing the vacancy rates?
A: We rely on reports that we have been given. We would be happy to show you the data we received.
- xvii. **Q:** Joseph Thompson – higher density projects put a strain on social services, police, fire, etc.
A: This project will pay city taxes. Police and fire departments will weigh in during the planning process.

xviii. **Q:** Sheryl McGinnis – there are not enough people in attendance. The main concern for the residents of Stratton Place is we don't want to lose green space.

A: This is definitely not the last meeting. There will be numerous opportunities for public comment. I encourage you to think creatively about what the community wants for green space so we can approach the city with potential ideas.

xix. **Q:** Nate Huckel-Bauer – where will the kids living at the property go to daycare? Will there be green space, and will it be open to the public?

A: We are also thinking about where the kids will play and want the property to be integrated within the community. We are investigating the possibility of a daycare within the building? We want to work with neighbors to create green space, but have to work within the constraints placed upon us.

xx. **Q:** Ellen Murphy – since there will only be minimal parking at the property, will there be a bus stop shelter and other transit amenities added near the property?

xxi. **Q:** Robert Theberge – has there been a preliminary study done on infrastructure to see if the city can handle the additional units? Note: Elm trees planted below CMP lines in the 4 foot space between the sidewalk and street is not a good idea.

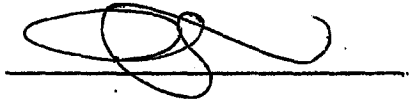
Meeting was adjourned at 8:25pm.

Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

I also certify that on (date at least seven days prior to the neighborhood meeting), invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development or within 1000 feet of a proposed development in an industrial zone and the residents on the "interested parties" list.

Signed,



8/30/10 (date)

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes



Board Members

Joanne Campbell
Sr. Vice President
Camden National Corporation
Board President

Randy Blake
President
R Blake Real Estate Svcs, LLC
Board Treasurer

Aaron Shapiro
Community Development Director
Cumberland County
Board Secretary

Robert Baldacci
President
Baldacci Group

Peter Brown
Program Director
Strive University

dee Clarke
Advocate
Homeless Voices for Justice

Chris Danse
Contractor, Builder,
and Neighborhood Activist

Kendra Danse
Clinical Director
MaineStay

Gunner Hubbard
President
Fore Solutions

David Lakari
President
Renewal Housing Associates, LLC

Jan McCormick
Vice President of Asset Mgmt.
Northern New England Housing
Investment Fund

Christine Ndayishimiye
Unit Helper, NICU
Maine Medical Center

Luc Nys
MaineCare Benefits Coordinator
for Children Under 21
Maine DHHS

Randy Poulton
Vice President
Nickerson and O'Day, Inc.

Staff Contacts

Cullen Ryan
Executive Director

Erin Cooperrider
Development Director

Todd Alexander
Development Manager

Brenda Perry
Development Officer

Jade Doyle
Development Coordinator

Jim Gwilym
Accountant/CFO

Kyra Walker
Asset Management Director

Lee Andrews
Asset Manager

Samira Bouzrara
Operations Assistant

August 10, 2010

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a redevelopment project at 66-68 High Street. Community Housing of Maine is planning to convert the former Children's Hospital building and site of the historic Mussey Mansion into 35 units of workforce housing.

Our vision for 66-68 High Street is to create a high-quality housing resource for the City of Portland that incorporates the best features of workforce housing, historic preservation, green design and smart growth principals. This will be an opportunity for you to participate in the design process and share your ideas with the development team.

Meeting Location: 66 – 68 High Street
Meeting Date: Thursday, August 19, 2010
Meeting Time: 6:30 p.m. – 8 p.m.

If you have any questions, please call me at 879-0347.

Sincerely,

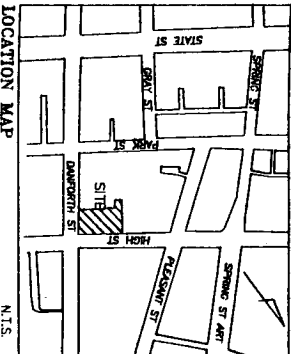
Todd Alexander
Development Manager

Note:

Under Section 14-32© of the City Code of Ordinances, an application for a major development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Department of Planning and Development, Planning Division 4th Floor, 389 Congress Street, Portland, ME 04101 or by email to bab@portlandmaine.gov.

Prepared For:
 Applicant:
**CHOM, Children's Hospital
 Housing Partners,**
 801 Commercial Avenue
 Portland, Maine 04101

Prepared By:
MITCHELL & ASSOCIATES
 Landscape Architects
 700 State Street
 Portland, Maine 04101
 Tel: (207) 774-4427



N.T.S.

Children's Hospital Apartments

56-70 High Street

Portland, Maine

Date:
 AUGUST 30, 2010

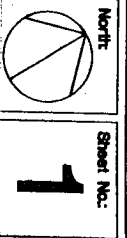
Issued For:
 ZONING MAP AMENDMENT

Revisions:

Reproduction or reuse of
 this map is prohibited without the
 expressed written consent of
 Mitchell & Associates as prohibited.

THIS
 EXISTING CONDITIONS
 PLAN

Scale: 1"=40'



Plan References:

1. "CONDOMINIUM PLAN, OLIVER B. DORRANCE HOUSE, 99-101 DANFORTH ST., PORTLAND, MAINE, MADE FOR 99-101 DANFORTH ST. ASSOCIATES," DATED AUG. 06, 2001 AND RECORDED IN PLAN BOOK 201 PAGES 394, 395.
2. SECOND AMENDED SURVEY, THE CARROL MANSON, A CONDOMINIUM, 77 PARK STREET, PORTLAND, MAINE DATED 6-20-94 (REVISED 3-20-95) AND RECORDED IN REGISTRY OF DEEDS PLAN BOOK 146 PAGE 60.
3. PLAN OF TOWN FARM TOWNHOUSE CONDOMINIUM, HIGH & PLEASANT ST., PORTLAND, MAINE MADE FOR PLEASANT STREET DEVELOPMENT ASSOCIATES DATED 8-2-84 AND RECORDED IN REGISTRY OF DEEDS PLAN BOOK 145 PAGE 46.
4. BOUNDARY & TOPOGRAPHIC SURVEY AT 87-93 DANFORTH ST., 56-70 HIGH ST., PORTLAND, MAINE MADE FOR USA FACILITIES MANAGEMENT DATED JANUARY 02, 2007 BY OWEN HASKELL, INC.

CC1

Order 58-10/11

Given first reading on 10/4/10

Postponed on 10/18/10

Public Hearing and Passage 11/1/10 6-1 (Leeman opposing, Anton recused, and Skolnik absent)

NICHOLAS M. MAVODONES (MAYOR)

KEVIN J. DONOGHUE (1)

DAVID A. MARSHALL (2)

DANIEL S. SKOLNIK (3)

CHERYL A. LEEMAN (4)

CITY OF PORTLAND

IN THE CITY COUNCIL

JOHN R. COYNE (5)

JOHN M. ANTON (A/L)

DORY RICHARDS WAXMAN (A/L)

JILL C. DUSON (A/L)

AMENDMENT TO ZONING MAP

**RE: 66-68 HIGH STREET REZONING FROM R-6 RESIDENTIAL ZONE
TO R-7 COMPACT URBAN RESIDENTIAL ZONE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

That the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49, be and hereby is amended by adopting the following map change amendment depicted below.



Proposed Site:
Rezoning from R-6 Residential to
R-7 Compact Urban Residential Overlay

**66-68 High Street
Proposed Rezone from R-6 to Residential R-7**

Prepared by Department of Planning and Development based on GIS Workgroup Data

**City of Portland, Maine
City Council Agenda Request Form**

TO: Sonia Bean, Senior Administrative Assistant
FROM: Alexander Jaegerman, Director of Planning Division
DATE: September 24, 2010

- 1) Council meeting at which action is requested:
1st reading: October 4th, 2010
Final action: October 18th, 2010
- 2) Can action be taken at a later date: YES NO
If not, why not:
- 3) This item is sponsored by: William Hall, Chair of the Planning Board

If a memorandum addresses the following issues you may attach and reference the memorandum but please highlight it so staff can easily answer I-V.

I. SUMMARY OF ISSUE

The Planning Board is holding a public hearing on September 28, 2010 to consider a request for zoning map amendment from Residential R-6 to Compact Urban Residential R-7 at 68 High Street and will forward their recommendation to the City Council. The applicant is Community Housing of Maine (CHOM).

Community Housing of Maine requests a zone change of the property at 66-68 High Street from the R-6 Residential Zone to the R-7 Compact Urban Residential Zone. The parcel consists of approximately 23,797 square feet (.539 acres) of land area. CHOM is proposing the rezoning of the site in order to renovate and construct a housing project under the density and lot coverage provisions of the R-7 zone. The applicant is requesting the zone change in order to develop the site with a thirty-five (35) unit multi-family residential development and fifteen (15) parking spaces. All of the residential units will be affordable.

II. REASON FOR SUBMISSION (What issue/problem will this address?)

The proposed project does not meet the R-6 dimensional requirements under two specific standards: 1) density and 2) lot coverage. Therefore the applicant is seeking a map amendment for the site from R-6 to R-7 to develop the site with a thirty-five (35) unit multi-family residential development and lot coverage of 12,374 sq ft or at 52%.

III. INTENDED RESULT (How does it resolve the issue/problem?)

The rezone change will allow the applicant to proceed with the proposed project and will allow higher density and increased lot coverage.

IV. FINANCIAL IMPACT

The proposal does not have any known financial impact on the City.

V. STAFF ANALYSIS & RECOMMENDATION

The project is scheduled for a public hearing on September 28, 2010 with the Planning Board to consider this rezone change request. Recommendations by the Planning Board on this proposal will be forwarded to the City Council and accompanied by a report.

CITY COUNCIL REPORT From PLANNING BOARD PORTLAND, MAINE



R-6 TO R-7 ZONING MAP AMENDMENT 66-68 HIGH STREET APPLICATION 10-79900015 COMMUNITY HOUSING OF MAINE (CHOM) APPLICANT

Submitted to: Portland City Council First Reading: October 4 th , 2010 Second Reading: October 18 th , 2010	Prepared by: Planning Board Report # 33-10 Date: September 30, 2010
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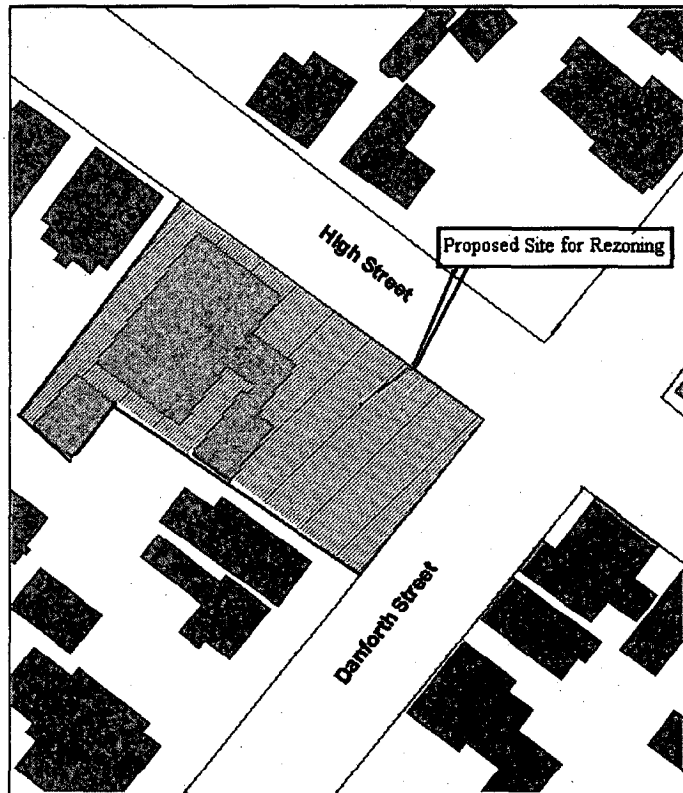
I. INTRODUCTION

The Planning Board voted unanimously 6-0 (Lowry absent) on September 28, 2010 to recommend to City Council the Community Housing of Maine (CHOM) request for a zone amendment to the Zoning Map. The Board members determined that this project was consistent with the policies of the Comprehensive Plan and met the spirit and intent of the R-7 purpose statement.

CHOM represented by Erin Cooperider, is requesting a zoning map amendment to develop a parcel at 66-68 High Street (corner of High and Danforth Streets). The parcel consists of approximately 23,797 square feet (.539 acres) of land area. CHOM is proposing the rezoning of the site from R-6 to an R-7 zone in order to renovate and construct a housing project under the density and lot coverage provisions of the R-7 zone. The applicant is requesting the zone change in order to develop the site with a thirty-five (35) unit multi-family residential development and fifteen (15) parking spaces. All of the residential units will be affordable and there will be a mix of one, two, and three bedroom units.

The infill project is designed to provide affordable housing, with a bedroom mix serving a variety of household sizes near the downtown. The location offers convenient access to schools, daycare, playgrounds, and employment opportunities, as well as public

transportation, shopping, dining and recreational opportunities at this in-town location. The proposal does not meet the R-6 dimensional requirements for two specific standards: 1) density and 2) lot coverage. Therefore the applicant is seeking a map amendment for the site from R-6 to R-7. The



Map 1- Site of Proposed Rezoning from R-6 to R-7

applicant has submitted a supplemental information packet, Attachment A-1 that includes a revised site plan, floor plans, and proposed elevations.

The property is located in one of the first historic districts created and the building, which was designed by Fredrick A. Thompson and constructed in 1909 as a children’s hospital. The State Historic Preservation Commission has confirmed that the project is eligible for listing on the National Register of Historic Places and the National Park Service has approved a Part I application for Federal historic tax credits. This development will be subject to review by the Historic Preservation Board under Portland’s Historic Preservation ordinance.

II. ZONING AND DEVELOPMENT FINDINGS

- Site:** 66-68 High Street
- Tax Maps:** Tax Map 44, Block F, Lot 1
- Land Area:** 23,797 square feet
- Existing Uses:** University of Southern Maine offices and classroom
- Current Zoning:** Residential R-6 zone
- Proposed Zoning:** Compact Residential R-7 zone
- Total Units Allowed in R-6:** 19.8 units
- Total Units Allowed in R-7:** 54 units

Proposed Project Statistics:

- Total Units:** 35 units
- Housing Mix:** Units are 1, 2, and 3-bedrooms; all the units will be affordable housing.
- Building Height:** The residential building addition will be three (3) stories above one level of parking. The building height shall meet the height standard of R-7
- Lot Coverage:** 52 %
- Total Parking:** A total of 15 parking spaces; 14 spaces on the ground floor and one space at the street level on High Street
- Parking Ratios:** Proposed: 0.42 spaces/unit (15 spaces for 35 dwelling units)
- Density:** A density of 680 square feet of lot area per unit is proposed. (Allowable density in R-7 is 435 SF of land area per dwelling unit.)

III. NEIGHBORHOOD PUBLIC COMMENTS

Sixteen (16) comments have been submitted to the Planning Division; please see Attachment 5 for all of the comments. Of these comments, twelve (12) letters are in support and four (4) letters are in opposition. On September 1st, 2010, the Planning Division staff met with several direct abutters of the project who voiced concerns about the potential overall density that could be built under the R-7 zone standards and asked about possible options for limiting the total build out of the site.

IV. APPLICANT SUPPLEMENTAL INFORMATION

This project had two workshop hearings with the Planning Board. The Board at the first workshop meeting held on July 27th had requested the applicant to assess and explain the proposal’s consistency with Portland’s Comprehensive Plan and the purpose statement of the R-7 zone. At the second workshop hearing, the applicant has provided an analysis of the neighborhood, which is included in the supplemental report. The report is included as Attachment A-1 and is organized into four categories: 1) project overview 2) R-7 Overlay Eligibility 3) Analysis of the neighborhood’s density and 4) Neighborhood Meeting and Minutes.

The applicant also held a neighborhood meeting on August 19, 2010 and a total of twenty-seven (27) abutters attended the meeting, please Attachment A-1.

V. ZONING ANALYSIS

The Housing Committee recently requested the density statistics for all the parcels on the peninsula that are in the R-6 zone. The density is derived by dividing the number of units by the area of the parcel. There are two maps, please see Attachments 1 and 2, which are included as part of this report. The first map shows the land area per unit (square feet/unit). The parcels in green (greater than 1000 sq ft land area per unit) are equivalent to the R-6 zoning and the parcels in yellow (435 sq ft to 1000 sq ft land area per unit) are equivalent to the allowable densities of the R-7 zone. The red parcels represent higher density properties and are either in the B-3 zone or are conditional rezone locations. The second map shows only the units per each property.

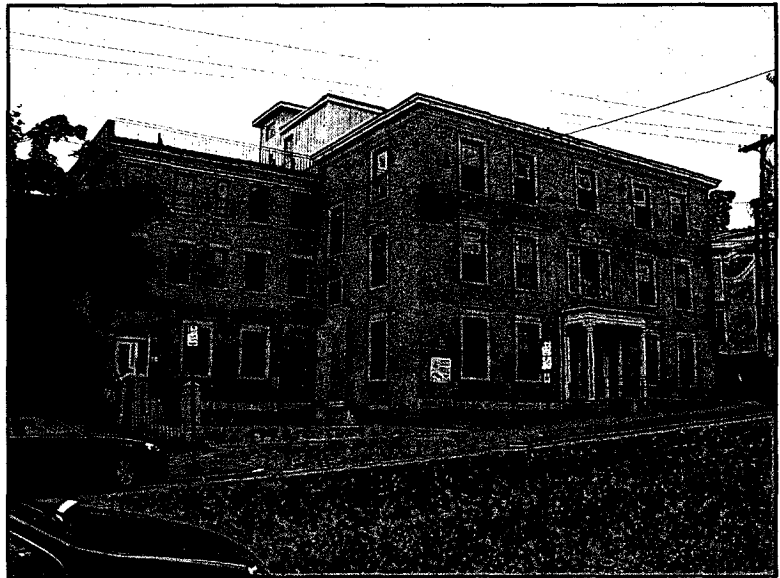


Figure 2- Existing Building Onsite

It can be observed from these maps that there is a mix of densities in the surrounding neighborhood. The block on Park Street (from Spring and Danforth Streets), has most of the parcels in the range of 435 sq ft to 1000 sq ft land area per unit. The block where this project is proposed has a mix of both densities, greater than 1000 sq ft and between 435 sq ft and 1000 sq ft land area per unit.

The chart below shows the zoning requirements for the R-6 and R-7 zones as well as the proposed project requirements. Copies of the R-6 and R-7 text are included as Attachment 3 and Attachment 4.

Dimension	Residential R-6	Residential R-7	Proposed Project
Minimum lot size	4500 sq ft	None	23,797 sq ft
Front yard setback	10 feet	None	15 feet
Rear yard setback	20 feet	5 feet	28 feet
Minimum Lot Width	50 feet	30 feet	200 feet
Side yard setback	For 3 stories... 10 feet.	5 feet	25 feet
Lot Coverage	Maximum forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units.	100%	52% building coverage with building and 76% proposed impervious surface coverage
Density	1200 sq ft/unit	435 sq ft/unit	23,797 square feet/number of units. 35 units = 680 sq ft Applicant can go up to 54 units (23,797/ 435)
Maximum Height	45 ft	50 ft	45' for the new addition
Parking Spaces/ Ratio	Off-street parking, For new construction, two (2) parking spaces for each dwelling unit, plus one (1)	1:1 ratio	15 parking spaces for addition ; a 1 to 1 ratio No parking spaces for the existing structure on site.

	additional parking space for every six (6) units or fraction thereof. This proposal requires about 33 off-street spaces for the new addition.		Therefore the parking ratio is .43 to 1 ratio for the entire project
Open Space Ratio	Thirty (30) percent for those lots which contain twenty (20) or more dwelling units.	None required	
Street Frontage	Minimum forty (40) ft	None required	200

VI. POLICY CONSIDERATIONS

The proposed zoning map amendment for the property located at 66-68 High Street must be evaluated for consistency with the City’s Comprehensive Plan. The applicant has provided a supplemental information packet to show their assessment of how their proposed zone change is consistent with the Comprehensive Plan and R-7 purposed statement (Attachment A-1). Below are the relevant excerpts from the Comprehensive Plan cited by the Planning Staff:

A. Housing: Sustaining Portland’s Future – Adopted November 18, 2002

The following statements are housing policies that are relevant to this proposal. The first policy of Housing: Sustaining Portland’s Future is to ensure an adequate and diverse supply of housing for all. Objectives under that policy include the following:

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied. The list of potential housing options under this objective include:
 - ii. Housing units for decreasing household sizes, such as young professionals, empty nesters, single parent households and senior citizens.
 - v. Higher density housing, such as row houses, small lots, reuse of non-residential buildings, and mixed use buildings.
 - vii. Housing development that encourages community, such as co-op housing.
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers and public transportation.
- Evaluate and update current zoning, as needed, to encourage higher density multi-family developments and mixed use projects that incorporate housing, particularly along major public transportation routes, near services areas, and in redevelopment or infill areas, where appropriate.
- Encourage housing within and adjacent to the downtown. Evaluate and update current zoning and building codes, as needed, to facilitate new housing and redevelopment opportunities....

The third policy of the housing plan refers to neighborhood stability and integrity, and “maintain and enhance the livability of Portland’s neighborhoods as the City grows and evolves through careful land use regulations, design and public participation that respect neighborhood integrity.” It states that “promote through City policies a mix of housing types, retail and services, and open spaces/recreation opportunities of appropriate size, scale and type within neighborhoods. Relevant objectives under this policy include the following:

- Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood.
- Ensure the integrity and economic value of Portland’s neighborhoods.
- Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.

The fifth policy of the housing plan refers to sustainable development and “...encourages a manageable level of growth that will sustain the City as a healthy urban center in which to live and work and to achieve a shared vision for Portland.” It states that “Portland should encourage sustainable development patterns and opportunities within the City by promoting efficient land use, conservation of natural resources and easy access to public transportation, services and public amenities.” Relevant objectives under this policy include the following:

- Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services and an affordable tax rate.
- Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing.
- Design housing using new technologies and materials that reduce costs and increase energy efficiency. [note: building to built to meet or exceed Maine State Housing's Green Building Standards].

B. A Time of Change: Portland Transportation Plan – Adopted July 1993

- Provide maximum mobility in a balanced transportation system, which encompasses all modes, to support the economic vitality and quality of life of the Portland community.
- Ensure future growth does not foster auto dependency.
- Allow development along transit corridors and near community commercial centers to evolve at a density sufficient to make public transit, walking, and biking viable options.

C. Purpose Statement of the R-7 Zone

The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.

Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood.

D. Analysis

The property proposed to be rezoned is located on High Street on Portland's peninsula. The site is located on an arterial street with METRO transit service and within walking distance of downtown, employment opportunities and shopping. The site is a relatively large parcel in the R-6 zone and the lot contains the former Children's Hospital and open land area, as a result of demolishing the original mansion. The larger scale and density of the R-7 zone works reasonably well at this location, which traditionally has had larger-scaled buildings and a variety of building types on the site and along the street. The proposed zone change will provide increased density on the site and within a neighborhood where both R-6 and R-7 densities exist. The site will provide compact in-city living for renters, which is near services, such as businesses, institutions, employers and public transportation. The proposed R-7 zone for 66-68 High Street is a suitable zone for this location as it is consistent with the policies of the comprehensive plan and the purpose of the R-7 zone.

VII. Planning Board Recommendation

The Planning Board voted unanimously (6-0, Lowry absent) to recommend the rezoning from R-6 zone to R-7 zone for Community Housing of Maine at 66-68 High Street to the City Council for its approval. The Planning Board found that the project is in consistent with the Comprehensive Plan of the City of Portland and meets the spirit and intents of the R-7 zone purpose.

Attachments

Planning Board Report Attachments

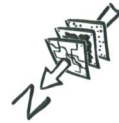

1. R-6 Zoning Analysis Map- Square Feet per Living Unit
 - 1.1 Blowup of Vicinity of Proposed Project
2. R-6 Zoning Analysis Map- Living Units
3. R-6 Zoning Standards
4. R-7 Zoning Standards
5. Public Comments

Attachment A: Excerpts of Revised Material, 08.30.2010

A-1 Supplemental Information Package

CITY OF PORTLAND R6 Zoning Analysis Square Feet / Living Unit

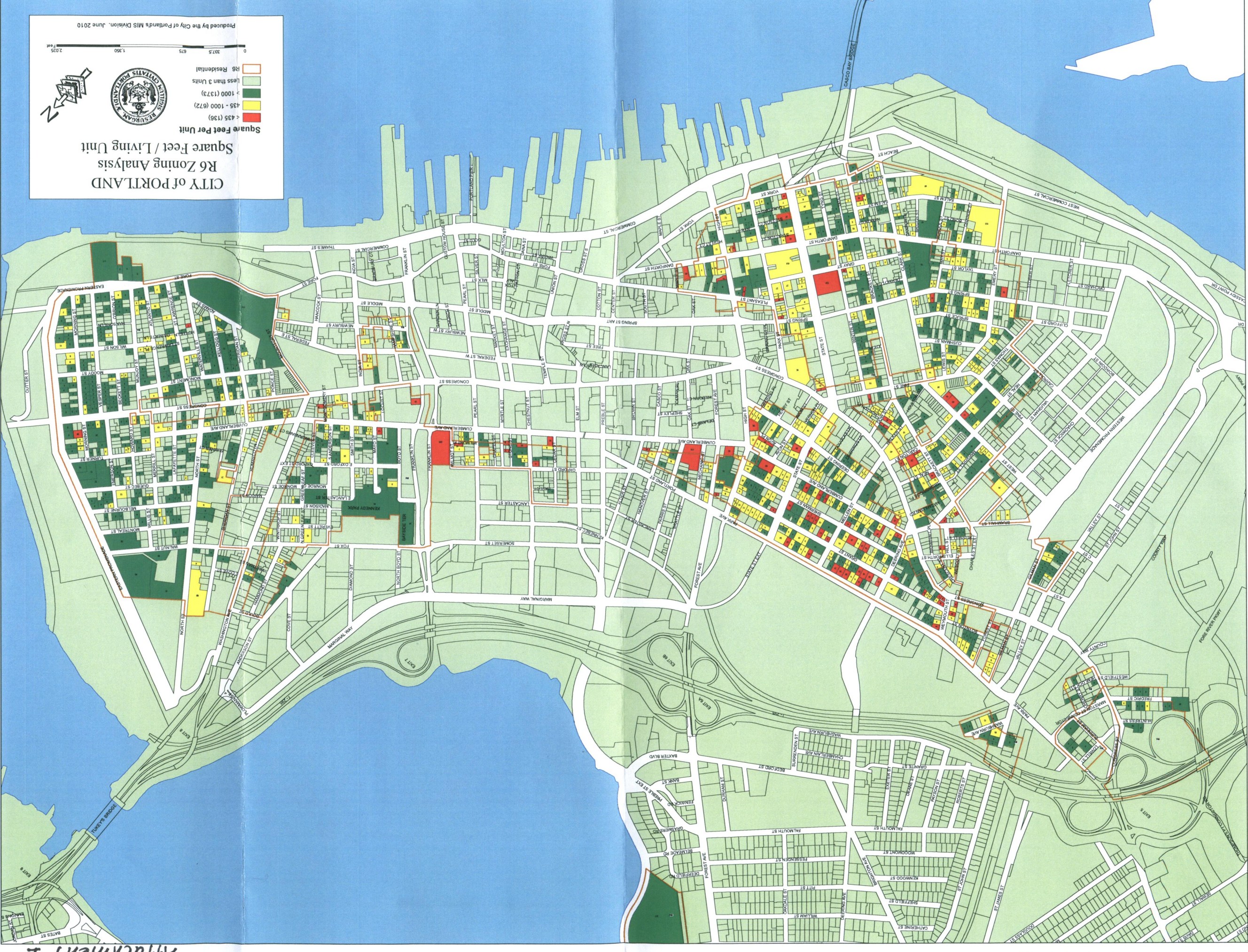
Produced by the City of Portland's MIS Division, June 2010

Square Feet Per Unit

- > 435 (136)
- 435 - 1000 (672)
- > 1000 (1373)
- less than 3 Units
- R6 Residential

0 307.5 615 1350 2025 Feet





Housing Unit Density



- Legend**
- Streets
 - Parcels
 - Living Units**
 - 1 - 4
 - 5 - 17
 - 18 - 54
 - 55 - 124
 - 125 - 200
 - Jetport
 - Ocean

1 inch = 152 feet
 Map Produced by the City of Portland's GIS Web Application
 3/3/2010

City of Portland
Code of Ordinances
Sec. 14-131
(Ord. No. 537-84, 5-7-84; Ord. No. 15-92, § 10, 6-15-92)

Land Use
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- Sec. 14-132. Reserved.**
- Sec. 14-133. Reserved.**
- Sec. 14-134. Reserved.**

DIVISION 7. R-6 RESIDENTIAL ZONE*

 *Editor's note--Ord. No. 538-84, adopted May 7, 1984, repealed Div. 7, §§ 14-131--14-134, and enacted a new Div. 9, §§ 14-135--14-139, 14-145. However, in order to avoid duplication of division numbers and in consultation with the city, the provision has been included as Div. 7.

Sec. 14-135. Purpose.

The purpose of the R-6 residential zone is:

(a) To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses.

(b) In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.

(Ord. No. 538-84, 5-7-84; Ord. No. 78-03/04, 10-20-03)

Sec. 14-136. Permitted uses.

The following uses are permitted in the R-6 residential zone:

(a) Residential:

1. Single- and two-family dwellings. No building reviewed as a two-family dwelling in accordance with section article V (site plan) of this chapter shall be altered to include any additional dwelling unit within five (5) years from the date of issuance of the building permit. Any building reviewed as a two-family dwelling in accordance

with article V (site plan) of this chapter or not reviewed under article V, which is altered or enlarged to include any additional dwelling unit after this five-year period, shall be reviewed as a pursuant to article V of this chapter.

2. Multifamily dwellings, provided that any alteration of a structure in residential use on December 2, 1987:
 - a. Shall not result in the creation of any additional dwelling unit of less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic; and
 - b. Shall not result in any existing dwelling unit being reduced in size to less than one thousand (1,000) square feet of floor area, exclusive of common areas and storage in basement and attic;
 - c. Parking shall be provided as required by division 20 of this article;
 - d. No open outside stairways or fire escapes above the ground floor shall be constructed;
 - e. A below-grade dwelling unit shall be permitted only if access is provided directly to the outside of the building;
 - f. Such development shall be subject to article V (site plan) of this chapter for site plan review and approval.
3. Handicapped family unit, as defined in section 14-47 (definitions) of this article, for handicapped persons plus staff.
4. Single-family, multiple-component manufactured housing, as defined in section 14-47 (definitions) of this article, except in a National Register Historic District.

Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the temporary wind anemometer tower; and

- f. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and
- g. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related meteorological data, but shall not be used for any other purpose; and
- h. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.

(Ord. No. 538-84, 5-7-84; Ord. No. 267-84, § 2, 12-17-84; Ord. No. 76-85, § 8, 7-1-85; Ord. No. 85-88, § 3, 7-19-88; Ord. No. 235-91, § 13, 2-4-91; Ord. No. 118-93, § 11, 10-18-93; Ord. No. 133-96, § 7, 11-18-96; ; Ord. No. 154-96, § 11, 12-16-96; Ord. No. 125-97, § 3, 3-3-97; Ord. No. 232-99, § 2, 3-15-99; Ord. No. 77-02/03, § 2, 10-21-02; Ord. No. 29-09/10, 8-3-09 emergency passage; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 240-09/10, 6-21-10; Ord. No. 9 10/11, 8-2-10)

Sec. 14-138. Prohibited uses.

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

(Ord. No. 538-84, 5-7-84)

Sec. 14-139. Dimensional requirements.

(1) In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the R-6 zone shall meet or exceed the following minimum requirements:

(j) *Minimum gross floor area for bed and breakfasts:* Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.

(k) *Maximum floor area for places of assembly on a collector or arterial road:*

Large	Not limited
Medium	4,500 sq. ft.
Small	2,250 sq. ft.

(l) *Maximum floor area for places of assembly not on a collector or arterial road:*

Large	4,500 sq. ft.
Medium	2,250 sq. ft.
Small	1,125 sq. ft.

(2) *Small residential lot development:* Residential uses on small, vacant lots located in the R-6 are subject to site plan review and may use the dimensional requirements below if all of the following conditions are met:

The lot is:

Vacant or is used exclusively for parking or contains structure not used for residential purposes as of January 1, 2005; and the lot existed as of January 1, 2005.

(a) *Minimum lot size:* None

(b) *Maximum lot size:* Ten thousand (10,000) square feet.

(c) *Yard dimensions:*

1. *Front yard:*

No more than ten (10) feet.

2. *Rear yard:*

None, except that rear yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the abutting buildings and proposed buildings divided by five (5), whichever is greater; and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line.

3. *Side yard:*

None, except that side yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the existing buildings and proposed buildings divided by five (5), whichever is greater and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; Provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line. On a corner lot no side yard is required on that side of the lot which abuts any street. A principal structure on a corner lot shall not be more than ten (10) feet from the street.

- (d) *Minimum principal structure height:* Two (2) stories of living space above the grade of the adjacent street frontage, except for porches, entryways, attached garages and accessory detached structures.
- (e) *Maximum principal structure height:* Forty five (45) feet.
- (f) *Open space requirement:* All lots used for residential purposes shall provide an attached exterior deck, porch,

patio or balcony for each dwelling unit, except where a designated open space equal to ten (10) percent or more of the lot area is located on site and maintained as open space, then the number of exterior decks, porches, patios or balconies may be reduced by up to fifty (50) percent. The designated open space, if provided, shall have a minimum width and length of at least fifteen (15) feet, a slope of no greater than ten (10) percent and shall be used exclusively as recreational open space i.e. it shall not be used for vehicular circulation, parking, etc.. All required decks, porches, patios or balconies shall meet the requirements of the Planning and Development Design Manual.

(g) Minimum lot width: None.

(h) Minimum land area per dwelling: Seven hundred and twenty-five (725) square feet.

(Ord. No. 538-84, 5-7-84; Ord. No. 634-86, § 1, 7-7-86; Ord. No. 264-87, § 1, 3-16-87; Ord. No. 85-88, § 4, 7-19-88; Ord. No. 230-90, § 1, 3-5-90; Ord. No. 33-91, § 9, 1-23-91; Ord. No. 235-91, § 14, 2-4-91; Ord. No. 33A-91, 4-17-91; Ord. No. 118-93, § 12, 10-18-93; Ord. No. 154-96, § 12, 12-16-96; Ord. No. 125-97, § 4, 3-3-97; Ord. No. 245-97, §§ 1, 2, 4-9-97; Ord. No. 232-99, § 3, 3-15-99; Ord. No. 78-03/04, 10-20-03; Ord. No. 21-04/05, 8-2-04, Ord. No. 145-04/05, 2-23-05; Ord. No. 254-05/06, 6-5-06; Ord. No. 131-08/09, 12-15-08; Ord. No. 127-09/10, 1-4-10 emergency passage)

*Editor's note--Ord. No. 85-88, § 4, adopted July 19, 1988, amended § 14-139 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88.

Sec. 14-140. Other requirements.

(a) *Off-street parking*: Off-street parking is required as provided in division 20 (off-street parking) of this article.

(b) *Storage of vehicles*: Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.

(c) *Shoreland and flood plain management regulations*: Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.

City of Portland
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Sec. 14-140

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Rev.9-2-10

(d) *Small residential lot development shall conform to the site plan standards of §14-526.*

(Ord. No. 538-84, 5-7-84; Ord. No. 85-88, § 5, 7-19-88; Ord. No. 15-92, § 11, 6-15-92; Ord. No. 37-98, § 1, 5-4-98; formerly §14-145--renumbered per Ord. No. 122, 12-20-99; Ord. No. 78-03/04, 10-20-03; Ord. No. 254-05/06, 6-5-06; Ord. No. 240-09/10, 6-21-10)

***Editor's note**--Ord. No. 85-88, § 5, adopted July 19, 1988, amended § 14-145(a) to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 85-88.

DIVISION 7.01. R-7 COMPACT URBAN RESIDENTIAL OVERLAY ZONE

Section 14-141. Purpose.

The purpose of the R-7 Compact Urban Residential Overlay Zone is to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland. Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service. The intent of this zone is to foster increased opportunities for compact in-city living for owners and renters representing a variety of income levels and household types.

Locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning and uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties. It may be appropriate in some cases to rezone to R-7 overlay through conditional or contract zoning to ensure that the new development is architecturally appropriate and compatible with the surrounding neighborhood.

(Ord. No. 122, 12-20-99)

Sec. 14-142. Permitted Uses.

Permitted uses in the R-7 Compact Urban Residential Overlay Zone, shall be the uses permitted in the R-6 Zone, except that:

(a) Residential uses shall comply with the following dimensional requirements:

1. Minimum Lot Size: None
2. Minimum Frontage: None
3. Minimum Yard Dimensions:
 - a. Front yard: None
 - b. Rear and side yard: Five (5) feet.
 - c. Side yard on side street: None
4. Maximum Lot Coverage: 100%
5. Maximum Residential Density: Four hundred thirty five (435) square feet of land area per dwelling unit is required.
6. Maximum Building Height: Fifty (50) Feet

(b) Off-street parking is required as provided in division 20 (off-street parking) of this article;

(c) Residential development in the R-7 Zone shall be reviewed by the Planning Board for compliance with Article IV, Subdivisions, and Article V, Site Plan;

(d) Any new dwelling unit constructed in the R-7 Zone shall contain a minimum of 400 square feet of habitable floor area;

(e) All other uses in the R-7 Zone shall observe the requirements of the R-6 Zone.

(Ord. No. 122, 12-20-99; Ord. No. 84-08/09, 10-20-08; Ord. No. 240-09/10, 6-21-10)

Sec. 14-143. Design Standards.

Residential development in the R-7 Zone shall be reviewed by the

Planning Board under Article V, Site Plan. Such development shall also comply with the following development standards. The general intent of these development standards is to achieve an attractive and comfortable city neighborhood environment. Varied and human-scaled building facades are key to making a place "pedestrian-oriented." Building designs should provide a high level of visual interest, without creating a chaotic image. Residences should include design elements that enhance the streetscape and address the street.

- a. Porches and bays should face the street.
 - b. Primary ground floor residential entries to multi-family buildings must orient to street, not to interior blocks or parking lots. Secondary and upper-floor entries from the interior of a block are acceptable. The front door to single-family homes, duplexes, and townhouses must be visible from the street.
 - c. The design approach shall provide an architecture that will be a visible and permanent expression of the character of the neighborhood;
 - d. The facade shall be varied and articulated to provide visual interest to pedestrians;
 - e. Reinforce the public realm of the public open space, sidewalks and streets through appropriately scaled entries, porches, fenestration, landscaping, and architectural details;
 - f. Provide visual and acoustical privacy between units;
 - g. Maximize natural light and ventilation within units.
- (Ord. No. 122, 12-20-99)

Sec. 14-144. Reserved.

Sec. 14-145. Reserved.

(Ord. No. 122, 12-20-99)

DIVISION 7.1. IR-1 ISLAND RESIDENTIAL ZONE

Sec. 14-145.1. Purpose.

The purpose of the IR-1 island residential zone is to provide for

Attachment 5

**PREBLE STREET
HOMELESS VOICES FOR JUSTICE**

5 PORTLAND STREET ■ PO BOX 1459 ■ PORTLAND, MAINE 04104
207-775-0026 ext. 160 HVJ@preblestreet.org

September 28, 2010

2010 ADVOCATES:

DEE CLARKE

MARCIA FRANK

JEANNA ROATH

ROSE STROUT

PROJECT STAFF:

DONNA YELLEN
DIRECTOR OF ADVOCACY

AMY REGAN
COMMUNITY ORGANIZER

To the City of Portland Planning Board,

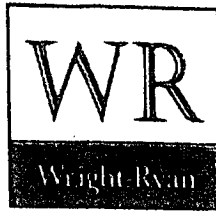
Homeless Voices for Justice is a group of community members who have all experienced homelessness, who know first hand what it's like to live without a home. Community Housing of Maine (CHOM) provides safe, decent housing in many communities across the state, and we are in support of their proposed housing project before you today. CHOM is a valuable partner in developing and operating a range of housing, and Portland would be lucky for this development to be a part of our community.

We want to be sure that "workforce" housing is not confused with housing that would be affordable to those with the lowest income in our community. These rents would not be affordable for many people staying in shelters. However, we recognize the need for high-quality workforce housing in Portland, and look forward to the further development of housing that is affordable to all.

We also believe that the healthiest communities are those that are well integrated with people from all walks of life. In this development, CHOM has highlighted the importance of this, given that it will serve people of low to moderate income levels, and be located in close proximity to the public and private services that the residents will utilize.

Homeless Voices for Justice encourages the Planning Board to approve the proposed development at 68 High Street. Thank you.

Sincerely,
Homeless Voices for Justice



20 September 2010

Planning Board, City of Portland
Portland City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

RE: CHOM Affordable Housing Development at 66-68 High St

Dear Members of the Planning Board & Staff,

I have owned a 16,000 square-foot, 19th-century office building located at 2-18 Danforth St for nearly twenty-five years and have operated my business here since 1986. Wright-Ryan Construction, Inc. employs 75 residents of the Greater Portland area. I have seen many changes in the neighborhood during my tenure here. When we first occupied our building we were one of only 3 or 4 businesses on the entire block of Danforth between York and High Streets. There are now dozens. Most of the housing in the neighborhood was run down. Now the street has an attractive mix of renovated old and tastefully designed new housing, including 53 Danforth, a 43-unit affordable housing project which we built last year. It has become a vibrant mixed use area. Having 53 Danforth in the neighborhood has added substantially to that mix, providing a substantial, attractive building that brings life to the area after the close of business.

I have examined the plans for CHOM's proposed development at 66-68 High St and am confident that their project will bring the same benefits to the neighborhood that 53 Danforth has brought. Downtown Portland remains in need of workforce housing. In addition, the design and construction of this project will bring badly needed jobs to a hard-hit sector of the economy at a critical time.

We strongly support the use of the R7 zone map amendment process for this project and urge you to support the continued thoughtful redevelopment of this important Portland neighborhood.

Sincerely,

John W. Ryan
President, Wright-Ryan Construction, Inc.
Owner, 2-18 Danforth St.

Building Maine's Great Spaces

Wright-Ryan Construction, Inc. • 10 Danforth Street • Portland, Maine 04101
Phone (207)773-3625 • Fax (207)773-5173 • www.wright-ryan.com

Shukria Wiar - Community Housing of Maine project at Danforth and High

From: Nathan Szanton <nszanton@szantoncompany.com>
To: Shukria Wiar <SHUKRIAW@portlandmaine.gov>
Date: 9/19/2010 8:24 PM
Subject: Community Housing of Maine project at Danforth and High

Dear Shukria,

As you know, my partner Bobby Monks and I own the 43-unit, mixed-income apartment building at 53 Danforth Street, about five properties below the site of Community Housing of Maine (CHOM)'s proposed project at the corner of Danforth and High Streets (66-68 High Street).

I have met with Todd Alexander of CHOM to review the development plans for this project, and learned quite a bit about who it is proposing to serve; its physical design; and how it would be managed.

I am unable to attend the upcoming Planning Board meetings concerning this project, but I wanted to make Planning staff and the Planning Board members aware that I am in full support of this project and the zone change to R7 which the developer is seeking. We had so many apartments in the West End convert to condominiums during the 1990's and early 2000's that we are in need of a considerable amount of new affordable housing in the West End just recover from that loss. I think CHOM's design is sensitive to the site and what went before on that site, and would make a very nice addition to the neighborhood.

Thank you to you and the Board for considering my input.

Sincerely,

Nathan Szanton

Nathan S. Szanton
Principal
The Szanton Company
One City Center, 4th Floor
Portland, ME 04101

tel: 207/871-9811

fax: 207/775-4325

nszanton@szantoncompany.com

www.szantoncompany.com

LEARNINGWORKS
solving at risk youth problems and low income housing

September 15, 2010

Planning Board, City of Portland
Portland City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

Dear Planning Board Members,

I am writing in support of Community Housing of Maine's application for a zone map amendment for 66/68 High Street.

Learning Works owns or manages 7 multifamily housing properties in the West End, two of which--42 Gray Street and 140 Park Street--are located in close proximity to CHOM's proposal. In addition, our corporate offices are in the West End, at 181 Brackett Street.

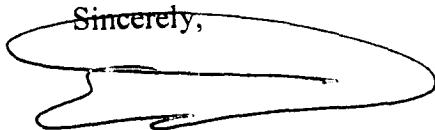
Having personally reviewed the plans, we are supportive of CHOM's proposed development and the zone map amendment for a number of reasons. First, we welcome the addition of more affordable housing on the peninsula. Our organization sees firsthand the severe shortage of high quality, professionally managed affordable rental housing in Portland. Despite numerous developments over recent years, this shortage still negatively impacts the city at large.

Second, we are pleased with CHOM's design plans to rehabilitate an underutilized historic property and redevelop an urban infill site. We believe that this plan will benefit its future low income residents by its in-town location, close to community facilities, employment opportunities, public transportation and services.

Finally, we are supportive of the Planning Board and City Council utilizing the R7 overlay zone on this development. The R7 is a progressive zoning tool designed to encourage in town multifamily housing developments which address Portland's housing shortage. This tool reduces the financial risk for non-profits, in an area that is extremely complex and risky. We think CHOM's proposal for 66/68 High Street is a suitable candidate for an R7 overlay zone.

Please feel free to contact me personally, if you have any question.

Sincerely,



Ethan Strimling
Chief Executive Officer



September 15, 2010

City of Portland Planning Dept.
Attn: Shukria Wiar
389 Congress St.
Portland, ME 04101

Re: 66-68 High St.

To Whom It May Concern:

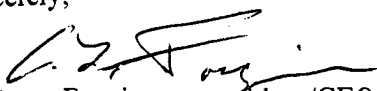
This is a letter in support of Community Housing of Maine's proposal to develop workforce/affordable housing at 66-68 High Street. We are impressed with the proposal's sensitivity to the historic relevance of the site and to the needs of our neighborhood community. We are particularly enthusiastic with the proposed development of 35 units of workforce housing.

Seventy Five State Street is a 152 unit assisted and independent living community bounded by State, Gray, Park and Danforth Streets. We have provided housing and services for Portland's elders since 1854. We employ 127 local people who work in healthcare, dining services and support positions. Nearly one third of our employees are able to walk to work. It is very important to our workforce to be able to find affordable housing in the West End.

In 2007, working with the City's Planning Department, we completed a total renovation of our ca. 1820 Cutter House. We believe that Community Housing of Maine's plans to construct housing that honors the scale and setback of the former Mussey Mansion would be an appropriate addition to our neighborhood.

Upon request, I would be pleased to answer any questions regarding Seventy Five State Street's support of this proposal.

Sincerely,


Anthony Forgione, president/CEO

C: Hall Thompson, Chairman of the Board

J. B. BROWN & SONS
36 Danforth Street
P.O. Box 207
Portland, Maine 04112-0207
Phone 207-774-5908
Fax 207-774-0898

September 15, 2010

Re: Community Housing of Maine's development project at 66-68 High Street

Dear Planning Board Members,

I am submitting this letter in support of Community Housing of Maine's (CHOM) request for a zone map amendment relating to its development project at 66-68 High Street.

J.B. Brown & Sons owns and operates commercial properties within close proximity to the CHOM development, including over 130,000sf of office, service, and retail space along with over 350 parking spaces in the Danforth, Pleasant & York Street area. Our corporate office is located at 36 Danforth, one block from the corner of High and Danforth streets.

I have met with representatives from CHOM to review their concept plans and discuss the zone map amendment application. I am supportive of their efforts on a number of levels, specifically;

- CHOM's investment at 66-68 High Street will contribute to the on-going revitalization of lower Danforth Street. The recent addition of new businesses; Cranberry Island Kitchen, livevital, El Rayo, Portland Velocipede, Colby Engineering, to name a few, along with the new multifamily housing completed at 53 Danforth Street have all had a positive impact on the neighborhood. I believe CHOM's project will complement this redevelopment activity and continue to reconnect the west end and downtown.
- CHOM's development will provide quality affordable housing on the peninsula that will improve Portland's overall livability, particularly for working individuals and families of low and moderate income levels.
- CHOM's property will convert a tax-exempt property to private ownership and generate new tax revenue for the City. In addition, CHOM's estimates its total development costs will exceed \$8,000,000, bringing a valued investment and construction-related jobs to Portland at a time of economic uncertainty.
- CHOM's proposal is in keeping with the historic development patterns on Danforth and High streets. I am particularly pleased that CHOM has chosen to construct the new addition in a similar size and scale to the mansion that once occupied the site and the historic properties that are common in this neighborhood.

Finally, I feel it is compelling for the City to utilize the R7 zone map amendment process for this project. In the past, the City has commonly resorted to conditional zoning for these types of developments because an alternative and appropriate zone did not exist to accomplish the necessary density to justify the construction of affordable housing. This was remedied with the creation of the R-7 zone. To consider a conditional zoning for this project would unnecessarily create a process that is highly cumbersome and, ultimately, serves as a significant disincentive for developers. The time, cost and uncertainty associated with conditional zoning often generates too much risk. The R-7 zone was created to address this very problem and encourage people to build more multifamily housing in appropriate locations on the peninsula. In my view, CHOM's proposal is a very good example of how the R7 can actually stimulate new housing investment and development.

In closing, I encourage the city to use the R7 zoning process to achieve its policy goal of creating quality affordable housing on the peninsula and further the redevelopment of an important part of downtown Portland.

Respectfully,

A handwritten signature in black ink, reading "Vincent P. Veroneau". The signature is fluid and cursive, with a long horizontal stroke at the end.

Vincent P. Veroneau
President

Shukria Wiar - 66-68 High St.

From: "Heather Free" <HFree@pslservices.org>
To: <shukriaw@portlandmaine.gov>
Date: 9/14/2010 3:44 PM
Subject: 66-68 High St.

Dear Planning Board Members,

I am submitting this letter in support of Community Housing of Maine's request for a zone map amendment for 66-68 High Street. It is likely that I will be unable to attend the scheduled workshop and wish to have this letter serve in place of my participation in the meeting.

Peregrine Corporation is the owner of two apartment buildings in the West End; 11 and 12 Nye Street. Our properties are located around the corner from 66-68 High, where CHOM is proposing to build its 35-unit apartment complex. There are a number of things about CHOM's proposal that I support; first, I welcome the addition of more affordable housing in Portland. Peregrine owns a number of apartment complexes that are occupied by residents on the lower end of the income scale. We clearly see that there is a shortage of this type of good affordable housing that is located downtown. Second, I like that CHOM has designed a project that fits well with the neighborhood in terms of its height and size—and has creatively come up with a way to hide the parking under the building. Third, I am happy to see that the existing building will be restored. Too often older properties that are vacant end up being demolished to make way for new developments. I like that CHOM has figured out a way to find a new use for this historic building. Finally, I am hopeful that CHOM's project leads to additional redevelopment in this area that caters to pedestrians and people who use public transportation. Our residents tend to either walk or use the METRO bus system for their day-to-day activities (jobs, school, shopping, entertainment, etc...). The intersection of High and Danforth tends to be extremely busy and not very pedestrian friendly. With CHOM's development and the additional residents it will bring to the neighborhood, perhaps the city will be more inclined to improve the pedestrian connections between downtown and the west end, as well as the bus stops in this neighborhood.

Thank you for the opportunity to comment on this project. I fully support CHOM's efforts and encourage the Planning Board to approve the zone change that CHOM has requested.

Sincerely,
Heather Free

Heather Free
STRIVE U Student Life Coordinator
12 Nye Street #1
Portland, ME 04101
(207) 899-0035
Fax: (207) 772-6655
hfree@pslservices.org
www.pslstrive.org

Shukria Wiar - letter of support

From: "Mary Folsom" <Mary.Folsom@goodwillnne.org>
To: <shukriaw@portlandmaine.gov>
Date: 9/14/2010 1:05 PM
Subject: letter of support
CC: "Alexander, Todd" <talexander@eaglepointco.com>

Dear Planning Board Members,

I am writing the Planning Board in support of Community Housing of Maine's request for a zone map amendment for 66-68 High Street.

Goodwill Development Corporation owns a multifamily housing property at 79 High Street, which is located on the same city block as CHOM's proposed development. I have met with members of CHOM's development staff to review their plans and discuss their zone map amendment application. In general, I believe CHOM's development will have a positive impact on the neighborhood and help re-establish this section of High Street as primarily a multifamily residential area. Furthermore, I like CHOM's design plans to restore the existing building and construct a new building that is in keeping with the neighboring historic properties.

I also support CHOM's decision to provide affordable rental housing. Our parent organization, Goodwill of Northern New England, has a long history of serving needy individuals and families in the greater Portland area. We own and operate a number of residential properties that provide housing for people of low incomes and special needs. We can attest to the significant demand for the type of housing that CHOM will create. We can also attest to the fact that this type of housing works best in downtown locations, in which the residents will benefit from being close to the services (such as public transportation) that they need and rely on.

I understand that this project requires a zone map change from R6 to R7. I believe the proposed development is appropriate for the neighborhood and an important project for the City of Portland. I support rezoning 66-68 High Street from R6 to R7 to allow CHOM's project to move forward.

Sincerely,

Mary Folsom
Project Manager
Goodwill Development Corporation
353 Cumberland Avenue
Portland, ME 04101
207-774-6323, ext. 2302
Fax: 207-761-8460

Shukria Wiar - Support for CHOM's proposal - High and Danforth

From: "josh@northlandus.com" <josh@northlandus.com>
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>, Kate <kate@al...>
Date: 8/30/2010 9:30 AM
Subject: Support for CHOM's proposal - High and Danforth

To the members of the Portland Planning Staff,

We are writing this letter in support of Community Housing of Maine's zone map amendment application for their project at 66/68 High Street.

We recently met with Todd Alexander to discuss CHOM's development plans for this property. We currently are renters in downtown Portland and within walking distance of Danforth and High streets. We often run by the former USM site and think about its future reuse. Josh is in real estate development, and had looked at this project, and saw no feasible (i.e. financeable) market rate housing or commercial development even taking into account the financial benefit of the state and federal historic tax credits.

During our discussion with Todd, we were pleased to see that CHOM is proposing a modest, infill housing project. We think this will benefit the neighborhood in a number of ways; it will provide much-needed workforce housing on the peninsula, it will help fill in an important gap between the downtown and the west end, it will restore an underutilized historic property on High Street and it will return a tax-exempt property to the city's tax rolls. We also like that the project encourages in-town living and incorporates green design standards.

We're particularly happy to see that CHOM is proposing a project that is of modest size and in keeping with the historic nature of this neighborhood. The corner of Danforth and High is an important transition point from downtown into the west end. Whatever is built here should reflect that transition from a mixed use business area into a more residential neighborhood. CHOM's proposal appears to be mindful of that fact.

We understand that the R7 zone change is an important first step in allowing this project to go forward. We also understand that this zone overlay was created to encourage exactly these types of housing developments. We think that CHOM's proposal for 66/68 High Street is a responsible application of the R7 zone and we fully support CHOM's application.

Sincerely,
Josh Benthien and Kate Dunleavy
residents of Baxter Place (apt 403)

Josh Benthien
Partner
Northland Enterprises
o: 207.400.3454
c: 207.321.9741

Shukria Wiar - CHOM Project

From: William Renner <william.renner@gmail.com>
To: <shukriaw@portlandmaine.gov>
Date: 8/29/2010 5:56 PM
Subject: CHOM Project

I am currently a resident at 6 South St, just a short walk from CHOM's project site.

I fully support what CHOM is setting out to do. There is significant demand for workforce housing in Portland, ME and the more we can develop infill sites (rather than add to the growing sprawl surrounding Portland) to meet that demand the better off we will be.

Currently High Street acts as too much of a barrier between downtown and the beginning of the west end. To change this, we need to encourage projects like what CHOM is proposing which in time will attract additional mixes of uses to serve High Street residents.

Furthermore, from what I know about the project, CHOM's design pays significant respect to what used to exist on the site and they plan to pursue LEED certification which shows a distinct commitment to environmental responsibility.

The immediate neighborhood, from the beginning of Pleasant Street, up to High Street and beyond, seems to be heading in the right direction. Owners are taking better care of their properties and commercial enterprises are starting to appear. CHOM's project is another step in the right direction and I hope I get to see the finished project.

Best,

Will

Shukria Wiar, Planner
Planning division,
City Hall, 4th floor
389 Congress St.
Portland, ME 04101

Ms. Wiar:

We own a condo at 101 Danforth st. We don't have any objection to the development of the USM Building other than:

1. The addition should look like the other buildings in the area (historic, that is).
2. The Chimney at the rear of the property is falling apart and our parking space is just below it. We are worried that the chimney will fall on our car. If you look at it you can see that the top of it is broken in many pieces and some have fallen already. I am sure that the new development will not use the chimney or the heating plant and it should be taken down.

Thank you for your time!



Al Flynn
43 Helen Drive
Hanson, MA 02341
flynn.ae@gmail.com

(101 Danforth st.
Unit 1
{Portland, ME 04101})

6 Stratton Place
Portland Maine 04101
August 15, 2010

Dept. of Planning and Development
389 Congress St
Portland, Maine 04101

While I am not
opposed to high quality
housing development, I
am opposed to the
diminution of green spaces
in the neighborhood of
66-68 High Street.

Since I am unable
to attend the meeting
regarding this issue
(on Aug. 19, 2010) I wish to
know that I oppose
the development on this
basis.

yours truly,
Dorella Blinn

Penny Littell - FW: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

From: Nick Mavodones <NickM@cascobaylines.com>
To: "pl@portlandmaine.gov" <pl@portlandmaine.gov>, Joe Gray <JEG@portlandm...>
Date: 8/10/2010 11:11 AM
Subject: FW: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

FYI—

Nick

From: Karen Dowell [mailto:karen.dowell@maine.edu]
Sent: Tuesday, August 10, 2010 10:19 AM
To: Nick Mavodones
Subject: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

Dear Mayor Mavodones:

I am writing to ask for your assistance in urging the planning committee to reject a recent zoning map amendment requested by Community Housing of Maine (CHOM). You can read more about this proposal here: <http://www.portlandmaine.gov/planning/pbreport6668highstreet.pdf>

I own a condominium in the vicinity of this parcel and believe that this proposed zoning change will directly affect my quality of life as a Portland resident and potentially erode the value of my property. Although I was unable to attend the planning committee workshop held on July 27, I have reviewed the documents and memorandums circulated by the planning division office and I am very concerned about this proposal for several reasons.

The purpose of this request is to allow CHOM to increase the allowed density and lot coverage, and to decrease the number of required parking spaces. The location at 66-68 High Street is in an already densely populated, high traffic area. Increasing the density of residents while decreasing the number of parking spaces will cause further congestion, and make parking on the street virtually impossible for existing residents. The potential increase in on-street parking demand is not adequately addressed in the CHOM proposal. (Just because you want people to take public transportation doesn't mean they will.) In addition, the one-way traffic on High Street is heavy and indifferent to pedestrians. It is not safe for young children now. Changing the zoning on this corner of High and Danforth will make it even less so. If CHOM's objective is to create affordable family housing, this is not the best in-city location for their development.

The sustainable housing document (Portland's Future: Building on Neighborhood Stability and Integrity) cited heavily in the proposal was adopted in 2002, long before the real estate boom and bust of the last decade. Over the past several years, many houses and office spaces were converted to condos and high-rise developments were erected, resulting in a glut of housing in the downtown area. Now, you can't walk the streets of Portland without seeing numerous for sale or for rent signs. Should we not, as a city, focus on making existing housing affordable before creating more housing developments?

I should add that this same document aims to "protect safety and stability of Portland neighborhoods by enforcing the approved density regulations as prescribed by the Portland Zoning Ordinance" (section 3.b.2); "adopt neighborhood design guidelines as part of Portland's land use code for new housing and substantial rehabilitation that are compatible with the character and patterns of development found in each neighborhood" (section 3.c.2); and "promote uses which can accommodate higher density infill residential development without negatively impacting the existing neighborhood or adjacent properties" (section 14-141). One could argue that CHOM's proposed zone change is in direct violation of several objectives specified in the very document they use to support their case.

Contrary to the proposal's claims that this location is conveniently located near shopping, daycare, and employment opportunities, the closest grocery store to this potential development site is not within walking distance. The shopping in this area is targeted more toward tourists, than residential families. There is no evidence in the report that the job market in this downtown area is particularly strong. In addition, it is questionable as to whether families interested in this type of affordable housing could afford the daycare facilities in this area. And finally, there are other locations near the downtown area, such as on Marginal Way, that would be better suited for R7 zoned housing.

This neighborhood, in general, is wonderfully diverse. Perhaps because of that, it has a relatively high crime and violence rate for the West End. It is not safe to walk these streets alone at night. Windows and doors have been broken in buildings across from the lot in question. Graffiti is an ongoing problem. A few landlords on this block don't take good care of their rental properties and their residents are careless about trash. Adding population density could contribute to this problem unless existing safety and neighborhood "maintenance" issues are addressed first. Another very practical concern is that during heavy rain storms, waste water backs up the drains and floods some buildings in this neighborhood now. If the existing water and sewage system cannot handle demands of current residents, how will it respond to an additional 35-54 families squeezed into this one small area?

The former children's hospital at 66-68 High Street has architectural integrity and charm. It is set back on a lovely grass lawn that is enjoyed by many residents of this neighborhood. When the University of Southern Maine (USM) proposed to turn this green into a parking lot a few years ago, residents of District 2 rallied to convince USM to change their plans. This building and its grounds mark the transition from a scruffy commercial area to an eclectic side of the West End. The green with its distinctive iron fence is an integral part of our neighborhood. Portland needs to invest in "undeveloping" as well as developing to preserve these public and private greens. They add character and beauty to our city. The Museum of Art public green across from the Holiday Inn on Spring Street is a perfect example of using green space in city planning. This should be an opportunity to develop while preserving the architectural footprint of a property that is part of Portland's heritage.

I love Portland. And I've enjoyed living in the heart of the city for the past several years. I am not against affordable housing, but I strongly object to changing zoning to increase population density in an already established neighborhood such as ours. If CHOM could present a proposal to renovate the existing building without additions and with sufficient parking spaces to support the number of housing units, the residents of this neighborhood would be far more supportive.

Please don't allow CHOM to choke the life from our neighborhood with more "affordable" housing this city doesn't need!

Thank you for your help and attention to this matter.

Sincerely,

Karen Dowell

Karen Dowell
Functional Genomics predoctoral graduate student
University of Maine GSBS at The Jackson Laboratory
Tel: 207.288.6674 Cel: 207.460.2361
karen.dowell@maine.edu or karen.dowell@jax.org

Shukriz Wiar - Zoning Map Amendment from R-6 to R7 at 66-68 High Street

From: "Karen Dowell" <karen.dowell@maine.edu>
To: <Shukriaw@portlandmaine.gov>
Date: 8/8/2010 9:18 PM
Subject: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

Dear Ms. Wiar:

I am writing to urge the planning committee to reject the zoning map amendment requested by Community Housing of Maine (CHOM). I own a condominium in the vicinity of this parcel and believe that this proposed zoning change will directly affect my quality of life as a Portland resident and potentially erode the value of my property. Although I was unable to attend the workshop held on July 27, I have reviewed the planning documents and memorandums circulated by your office and I am very concerned about this proposal for several reasons.

As you know, the purpose of this request is to allow CHOM to increase the allowed density and lot coverage, and to decrease the number of required parking spaces. The location at 66-68 High Street is in an already densely populated, high traffic area. Increasing the density of residents while decreasing the number of parking spaces will cause further congestion, and make parking on the street virtually impossible for existing residents. The potential increase in on-street parking demand is not adequately addressed in the CHOM proposal. (Just because you want people to take public transportation doesn't mean they will.) In addition, the one-way traffic on High Street is heavy and careless of pedestrians. It is not safe for young children now. Changing the zoning on this corner of High and Danforth will make it even less so. If CHOM's objective is to create affordable family housing, this is not the best in-city location for their development.

The Sustainable Housing document cited heavily in the proposal was adopted in 2002, long before the real estate boom and bust of the last decade. Over the past several years, many houses and office spaces were converted to condos and high-rise developments were erected, resulting in a glut of housing in the downtown area. Now, you can't walk the streets of Portland without seeing numerous for sale or for rent signs. Should we not, as a city, focus on making existing housing affordable before creating more housing developments? The closest grocery store to this proposed development is not within walking distance. The shopping in this area is targeted more toward tourists, than residential families. In addition, it is questionable as to whether families interested in this type of affordable housing could afford the daycare facilities in this area. There are other locations near the downtown area, such as on Marginal Way, that would be better suited for R7 zoned housing.

This neighborhood, in general, is wonderfully diverse, but has a relatively high crime and violence rate. It is not safe to walk these streets alone at night. Adding population density could contribute to this problem unless existing safety issues are addressed first. Another very practical concern is that during heavy rain storms, waste water backs up the drains and floods some buildings in this neighborhood now. If the existing water and sewage system cannot handle demands of current residents, how will it respond to an additional 35-54 families squeezed into this one small area?

The former children's hospital at 66-68 High Street has architectural integrity and charm. It is set back on a beautiful grass lawn that is enjoyed by many residents of this neighborhood. When the University of Southern Maine (USM) proposed to turn this green into a parking lot a few years ago, residents of District 2 rallied to convince USM to change their plans. This building and its grounds mark the transition from a scruffy commercial area to an eclectic side of the West End. The green with its distinctive iron fence is an integral part of our

neighborhood. Portland needs to invest in "undeveloping" as well as developing to preserve these public and private greens. They add character and beauty to our city. The public green across from the Holiday Inn on Spring Street is a perfect example of using green space in city planning.

One of the reasons I love Portland is that it has preserved so many of its historic buildings and neighborhoods. It is a very livable city with considerable diversity. I am not against affordable housing, but I strongly object to changing zoning to increase population density in an already established neighborhood such as ours. If CHOM could present a proposal to renovate the existing building without additions and with sufficient parking spaces to support the number of housing units, the residents of this neighborhood would be far more supportive.

Please don't allow CHOM to choke the life from our neighborhood with more "affordable" housing this city doesn't need!

Thank you for your attention to this matter.

Sincerely,

Karen Dowell

Karen Dowell
Functional Genomics predoctoral graduate student
University of Maine GSBS at The Jackson Laboratory
Tel: 207.288.6674 Cel: 207.460.2361
karen.dowell@maine.edu or karen.dowell@jax.org

RECEIVED

AUG 11 2010

City of Portland
Planning Division

Peter and Patricia Brown
124 A Pleasant St.
Portland, ME 04101
773-8803
pdmaloneybrown@hotmail.com

August 5, 2010

Planning & Urban Development Department
Development Review Program
City Hall of Portland, Maine
389 Congress St. Room 308
Portland, Maine 04101

Dear Ms. Barhydt,

I am a resident of The Town Farm Condominiums at 124 Pleasant St. Portland (04101). I am writing to urge you and other planners of the proposed rezoning 66-68 High St. (the former USM building) to keep this property as an R6 zone. Since your original report findings in 2002 on "Sustaining Portland's Future," many of the original initiatives have changed. It would be prudent to sustain the quality of life for the present residents of this neighborhood as we too are a part of "Portland's future".

Since 2002, at the height of the real estate boom many new condos and other multi-family units have been incorporated into this area. Indeed many houses and office spaces were converted to condos and rental property. Why not make some of the vacant rental and condo spaces more affordable before adding more housing?

Of particular concern is the proposal to have 35 units (with the *preposterous* option to increase to 54 units) with only 15 parking spaces. Many of the inhabitants of the 35 units will have at least one automobile, with the possibility of two. Perhaps you are unaware of how difficult it can be for those of us allotted one parking space for a condo or rental unit when we are a two-car family. Visiting family and friends already find it difficult to find parking. Parking can be next to impossible in our neighborhood already. There is a distinct possibility that there could be as many as 40 or more cars added in the neighborhood seeking daily parking. The area is a high traffic and highly congested neighborhood now. How can you put safety and quality of life for present residents in jeopardy? Will you decrease our tax base due to diminished quality of life? The challenge of parking in the designated Yellow Zone in winter argues that this increase in density cannot be supported.

This neighborhood has a history of waste water back up in drains flooding some of the buildings. Will the city update all drains and conduits? Will the city pay residents for any flooding damage as a result of insufficient infrastructure? Certainly the water needs and sewage needs are not meeting demands of current residents. Again, it is preposterous to think that the addition of 35-54 families will not overwhelm the system. I find it negligent on the part of planners who may not have considered this impact.

The one-way traffic pattern on High St. is high volume. Traffic proceeds at a high rate of speed. It is a dangerous traffic pattern which can ill afford more traffic, particularly at the High St. and Danforth St. intersection.

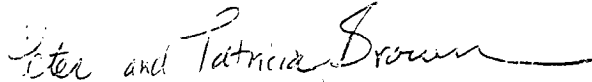
Our neighborhood is diverse and highly populated. Along with high density urban population is a burgeoning crime and violence rate. Please do not add more to the population density which would create more safety issues. If you want to keep this neighborhood as a livable area in the Arts District and gateway to the West End, safety of current residents should be protected.

Your report extols proximity of grocery stores for residents. This is patently inaccurate. The bus route does not transport residents to a Shaws, Hannaford or Whole Foods. The walking distance stores of the Old Port are often upscale and cater to tourists, not to permanent residents.

Part of the vibrancy of the Arts District, especially for working artists is on the Art Walk "First Fridays." The neighborhood needs parking for participants, safety and a sense of welcome. Loosing a beautiful and much fought for green space in the Arts District will not enhance commerce of the arts. This green space is also an irreplaceable oasis of beauty for the residents of our neighborhood. The Historic Preservation Program responded to our petition to keep this green space when The University of Southern Maine wanted to turn the space into a parking lot. Precedent has been set by this petition. Give residents the beauty of this green space we fought for! Keep this as a public green area!

Increased population density in our neighborhood will not enhance quality of life for anyone. Keep the current R-6 zoning in tact. Over-crowding of our neighborhoods does nothing to create a better future for Portland.

Sincerely yours,

A handwritten signature in cursive script that reads "Peter and Patricia Brown". The signature is written in dark ink and is positioned above the typed name.

Peter and Patricia Brown

cc: Nicholas Mavodones, Jr., Mayor, City of Portland; David A. Marshall, City Council Representative, District 2; David Fernald, Interim Director, Victoria Mansion; Catherine Morrill Day Nursery; Maine Preservation, 500 Congress St. Portland

Shukria Wiaw - FW: 66/68 High Street Proposal

From: Todd Alexander <todd@chomhousing.org>
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>
Date: 9/16/2010 9:53 AM
Subject: FW: 66/68 High Street Proposal

letter from abutter for the public record.

Todd M. Alexander
 Community Housing of Maine, Inc
 207 749-7257 | todd@chomhousing.org

From: Ellen D. Murphy [radochas@gmail.com]
Sent: Saturday, August 21, 2010 6:52 PM
To: Todd Alexander
Subject: 66/68 High Street Proposal

Dear Todd Alexander,

I attended the community meeting that CHOM held regarding your proposal for site development on High and Danforth Streets in Portland.

Clearly, your proposal has incorporated many elements that make it attractive to the City, and you are now taking steps to make it attractive to us, its neighbors, as well. I was impressed with the design and your efforts to make it comport with the existing structure, and to contain it within the footprint of the original Children's Hospital. I have been concerned about the loss of what little open green space we have in the neighborhood; your effort to keep the building well back from the perimeter edge of the lot will help ease that.

One thing that will be needed, I think, is a focus on traffic at that site. One of the people on your team said that, in your experience, your projects tend to attract large numbers of single mothers with children. I have a great concern for the speed and recklessness with which traffic flows up High Street; it's like a highway sometimes. The addition of mothers and kids and strollers and bikes into that mix really frightens me. (It's difficult enough for adults of reasonable mobility to cross at times; everyone I know in the neighborhood has a "near miss" story).

Maybe one thing you might want to think about is what "traffic calming" measures might be associated with your project: additional stoplights; for instance, longer timing of those that are there; installation of easily visible timers on pedestrian signals; narrowing of High Street; lowering the speed limit with enhanced enforcement; installation of median strips; etc. Your development would be an ideal opportunity for taking these measures; it could almost be a demonstration project. I'm sure Dave Marshall would be a big supporter.

I know I speak heresy to drivers, and the hue and cry against and effort to impede speed would be mighty! However, the prospect of endangering kids should make even the most devoted speed demon think twice.

Sincerely,

Ellen D. Murphy
 88 Park Street, #45

Shukria Wiar - 68 High St.

From: "Judith Kelly" <jkelly1@maine.rr.com>
To: <shukriaw@portlandmaine.gov>
Date: 10/7/2010 4:25 PM
Subject: 68 High St.

Portland Planning Division
City Hall, 4th Floor
389 Congress St.
Portland, Maine 04101

Shukria Wiar, Planner

I am opposed to the proposed development at 68 High St. on a number of levels:

I believe it will have a negative impact because of the density of people. 35 to 79 new people will put an undue strain on the infrastructure (roads and parking) of the neighborhood.

It will present a danger to both new and existing residents of the neighborhood due to the addition of a parking structure on a somewhat narrow, high traffic street.

The zoning change will open the door to future development of even more radical nature.

Respectfully submitted,

Judith Kelly, Owner
97 Danforth St.
Portland, Maine 04101
207-883-3335

ANNE B. PRINGLE

44 Neal Street Portland, ME 04102-3527 207/774-0437
oldmayor@maine.rr.com

October 15, 2010

Portland City Council
389 Congress Street
Portland, ME 04101

Re: Proposed R-7 for 66-68 High Street

Dear Mayor Mavodones and Members of the Council:

As you may know, I have a long history of involvement with affordable housing, having served (among many other roles) as Treasurer of the Maine State Housing Authority, on the Fannie Mae National Advisory Committee (when they had rational lending standards!), as chair the first Affordable Housing Advisory Council for the Federal Home Loan Bank of Boston, and as chair of the bi-partisan Affordable Housing Task Force for Governor McKernan in 1988.

Interestingly, the latter Task Force was the first to point out the emerging problem of those unable to afford to live in the cities and towns which they served as teachers, municipal employees, or service workers – we raised the concern before the term “workforce housing” was even coined. So, I am a longstanding affordable housing advocate and remain so.

That said, I am concerned with application of the process to allow rezoning of certain properties in the R-6 to a substantially more dense R-7. Such a conversion is before you in connection with 66-68 High Street, which abuts a property owned by my son.

I and other immediate abutters have met several times with representatives of CHOM and have been very impressed with their professionalism and willingness to discuss our concerns with the significant potential increase in density (from 20 units to a potential 54). While they assure us (and you) that they plan only 35 units (still a significant increase in density), once a zone change is approved, a successor developer could come in with the even more dense 54 unit project. This is of great concern.

As you may recall, two other changes from R-6 to R-7 have already been approved by the Council, one directly across the Street (Peter Bass on property sold to him by the City) and one about 1 1/2 blocks down Danforth Street (workforce housing developed by Nathan Szanton).

My concern is certainly not with workforce housing but with several policy and process issues:

1) It appears that each proposed rezoning from R-6 to R-7 is considered on its merits according to rather general standards set forth in the ordinance, but without a full consideration of the cumulative impact of such rezoning on the underlying original context, which in this case, is significantly less dense in terms of lot size per unit than the two approved and one proposed R-7 rezonings.

2) This can lead to an unintended change in the neighborhood context, on which owners relied when they purchased their property. Does this potentially widespread cumulative rezoning in the R-6 create destabilizing anxiety among and economic impact on people who have already invested in the R-6 neighborhoods, relying on existing zoning? Would this same zoning construct be allowed in other areas of the city?

3) I understand that some councilors have concern about the volume of contact zone applications and approvals, which I, too, have been concerned about for a long time. But is this new process, that allows this kind of cumulative rezoning of the already most dense residential zone in the City, a better process? I am afraid it is not and will lead to unintended consequences on existing neighborhoods, which is certainly not the Council's intent.

So that said, I and abutters have encouraged CHOM to pursue instead a contract zone for the lesser density that they plan (35 units), with provisions that will respect and protect the existing neighborhood context. They resist this because they believe that that Council prefers the wholesale rezoning. A contract zone may take a bit more time, but I believe that, with some collaborative focus on drafting, we could produce a contract zone acceptable all parties within a relatively short time frame.

As you consider this suggestion, please also note that at your November 1 meeting, you will also be asked to consider another text change to the R-6, to reduce the minimum lot width, again to encourage more dense development, which I do not oppose, just raise the issue of the cumulative effect of rezoning and such text changes on the already very dense R-6. Is this really what the Council consciously wants to do?

Very truly yours,

Anne B. Pringle

Shukria Wiar - Proposed Rezoning of 66-68 High Street

From: Charles Hall <charless.hall@gmail.com>
To: <shukriaw@portlandmaine.gov>
Date: 10/25/2010 10:27 PM
Subject: Proposed Rezoning of 66-68 High Street

Oct. 25, 2010

To the Members of the Portland City Council,

I am writing to express my objection to the proposed zoning change from R6 to R7 for the property at 66-68 High Street. I am the owner of an apartment building at 7 Stetson Court and am therefore especially interested in this proposal.

In its new incarnation, 66-68 High Street will contain a significant number of new housing units. The large number of new residents at this address will also clearly be associated with an increased number of cars in the neighborhood. In the current proposal, not all apartment units at this address will be allocated a parking space, which means that every day and every night there will be an increased demand for the very limited number of public parking spaces currently available in this part of town.

The parking situation is already acute, and the proposed changes to 66-68 High Street will make the problem worse. In order to receive permission for the zoning change, the building developers should be required to provide more on-site parking for the building residents, at least one parking unit per apartment unit. Let's not create more congestion and frustration in this very busy part of town.

Thank you for your consideration.
Charles S. Hall
47 Cloyster Road
South Portland, Maine 04106

Applicant's Submittal

August 30, 2010

Ms. Shukria Wiar, Planner
Department of Planning and Urban Development
Planning Division
Portland City Hall
389 Congress Street
Portland, ME 04101

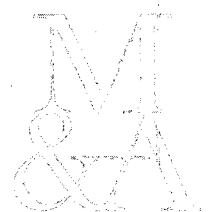
**RE: Zoning Map Amendment
66-68 High Street**

Dear Shukria:

On behalf of Community Housing of Maine (CHOM), we are pleased to submit the enclosed supporting documentation for a Zoning Map Amendment Application for 66-68 High Street.

This submission includes the following information:

1. Supplemental Information Package
2. Neighborhood Meeting Presentation
3. Sign In Sheets from neighborhood meeting
4. Meeting Minutes from neighborhood meeting
5. Neighborhood Meeting Certification
6. Copy of the neighborhood meeting invitation
7. Existing Conditions Plan



Ms. Shukria Wiar, Planner

Page 2

We trust the above responses and accompanying documentation and plans have addressed the comments received during the planning board workshop meeting on July 27, 2010 and the neighborhood meeting held on August 19, 2010.

Please do not hesitate to call should you have any questions or require additional information.

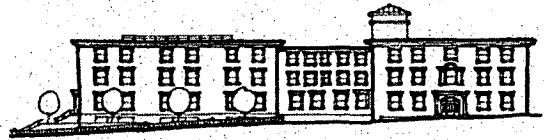
Sincerely,
Mitchell & Associates


John D. Mitchell

Enclosures

cc: Erin Cooperrider
Todd Alexander
Ben Walter
Scott Hanson

66-68 High Street
Zone Map Amendment Application

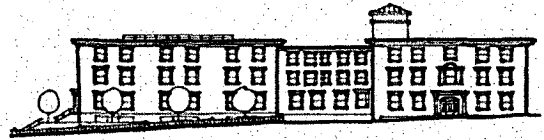


Zoning Map Amendment Application

66-68 High Street

Supplemental Information Package

66-68 High Street Zone Map Amendment Application



Executive Summary

The enclosed information is being provided to supplement Community Housing of Maine's ("CHOM") Zone Map Amendment application for 66-68 High Street. CHOM's development plan for 66-68 High Street is to create 35-units of multifamily housing through the conversion of an existing historic structure and the construction of a new addition on an undeveloped portion of the property (the "Project"). The Project is located in an R6 Zone and does not meet requirements for density, lot coverage and parking. Therefore, CHOM is applying for a Zone Map Amendment, from R-6 to R-7 Compact Urban Residential Overlay Zone ("R7 Overlay").

The Project is eligible for an R7 Overlay because 1) it is consistent with the stated purpose of the R7 Overlay, 2) it involves a site that is appropriate for an R7 Overlay and 3) it is consistent with the City's Comprehensive Plan. The Project is a moderate density compact residential development located on the peninsula and in an R-6 neighborhood characterized by moderate to high density multifamily housing and mixed business and residential zoning. The Project involves a site where an infill development opportunity exists, that is within walking distance of downtown or other work places, shopping and community facilities, and is accessible to public transit services. The Project provides an opportunity for compact in-city living for renters representing a variety of income levels and household types. Finally, the Project achieves many of the policy objectives set forth in Policy #1, #2, #3, #5 and #6 of the housing component of the City's Comprehensive Plan, *Housing: Sustaining Portland's Future*.

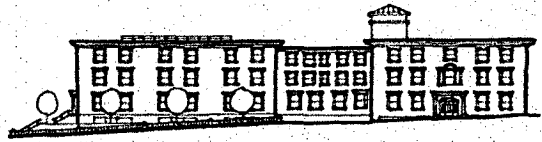
This submittal is comprised of three parts;

Section I Project Overview: The first section provides a brief overview of the Project and, although not eligible for review until the Site Plan and Subdivision stage, conceptual design plans.

Section II R7 Overlay Eligibility: The second section provides the primary documentation supporting the Zone Map Amendment request. This section details why the Project is eligible for an R7 Overlay, why this specific site, 66-68 High Street, is an appropriate parcel for R7 Overlay and how the project is consistent with the City's Comprehensive Plan.

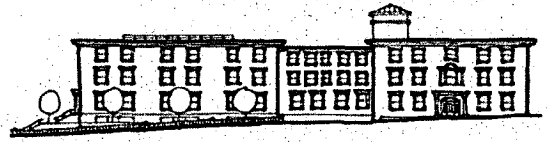
Section III Two Key Questions: The last section addresses two key questions raised by the Planning Board during the first workshop session on July 27th; 1) why is the R7 Overlay—rather than Conditional or Contract Zoning—the appropriate zoning tool to use for the Project? And, 2) should an R7 Overlay—rather than Conditional or Contract Zoning—be implemented for this project given

**66-68 High Street
Zone Map Amendment Application**



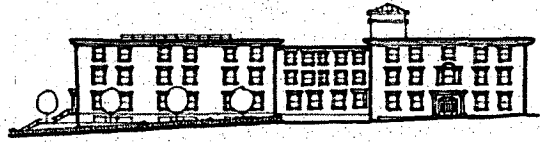
that it will provide the property owner the right to build up to 54 housing units?

**66-68 High Street
Zone Map Amendment Application**

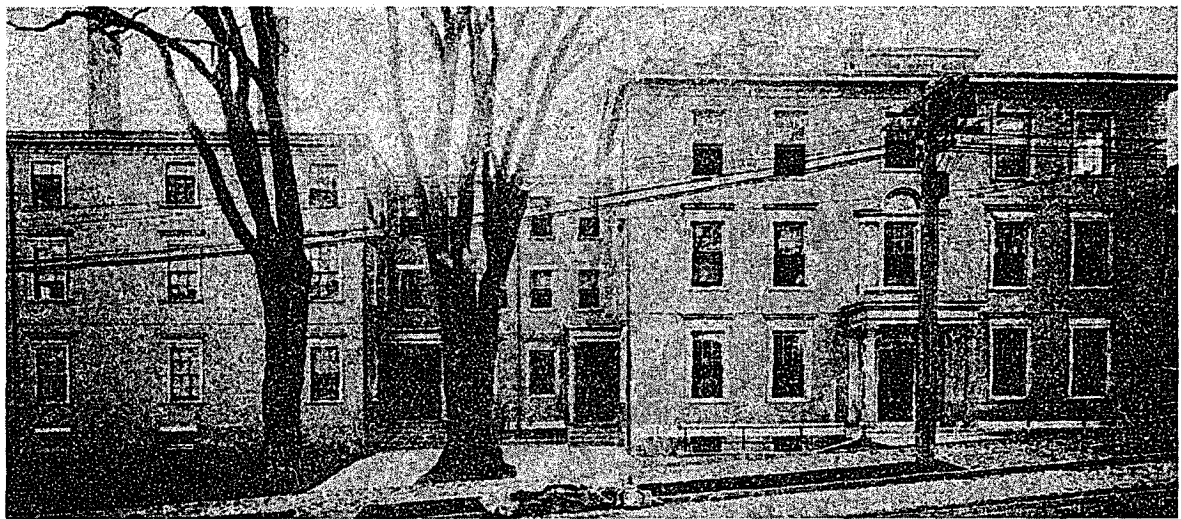


Section I: Project Overview

66-68 High Street
Zone Map Amendment Application



The Children's Hospital (and former Mussey Mansion), View from Danforth Street

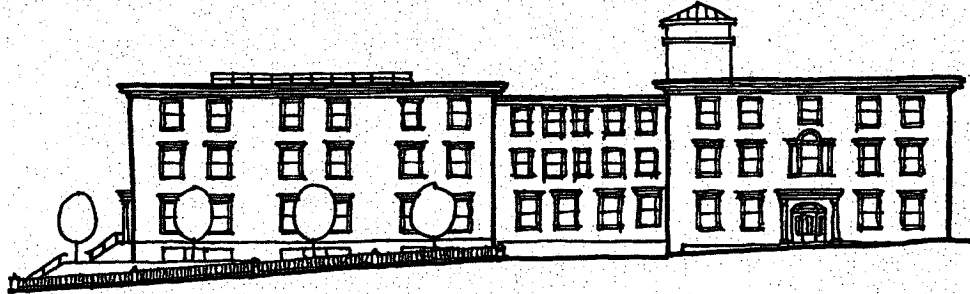
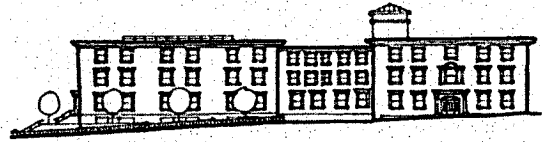


The Children's Hospital (and former Mussey Mansion), View from High Street

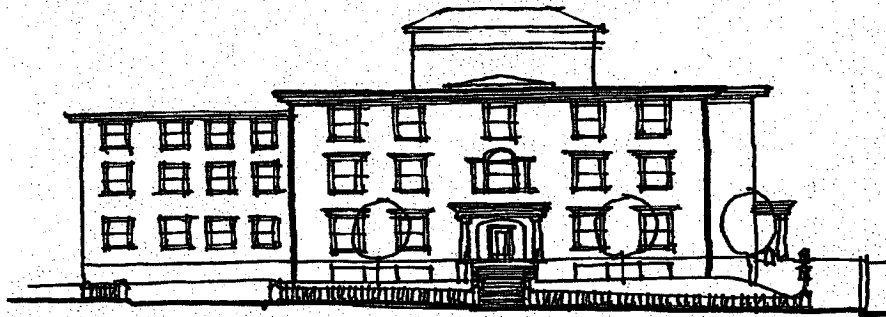
Building Program

CHOM proposes to rehabilitate the main building and convert it to 20 housing units, along with resident facilities in the daylight basement. CHOM also proposes to construct an addition with parking below grade. The addition will be built in roughly the location of the original Mussey Mansion and draw upon its massing, scale and form to embody a character appropriate to the historic district setting. The concept sketches on the following page illustrate the scale of the proposed building and outline the building footprint, parking spaces and other site features.

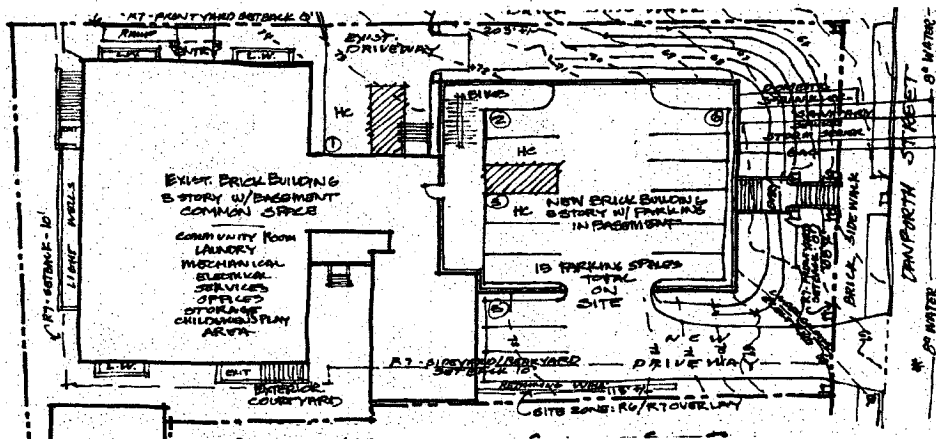
66-68 High Street
Zone Map Amendment Application



Conceptual Design Plan. High Street Elevation. (existing building on right)

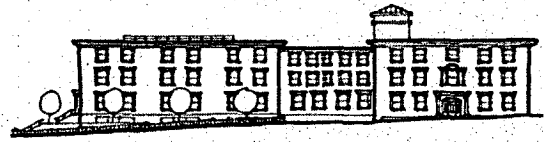


Conceptual Design Plan. Danforth Street Elevation. (existing building on right)



Conceptual Site Plan

66-68 High Street Zone Map Amendment Application



Section I: Project Overview

Housing Objective of the Project

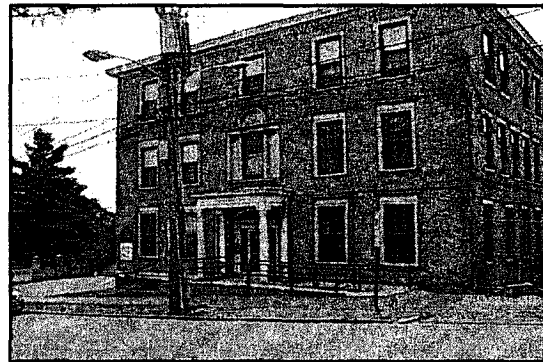
Community Housing of Maine ("CHOM") proposes to acquire and redevelop 66-68 High Street into 35 units of affordable rental housing. The complex will contain a mix of one, two and three-bedroom units, along with a community room, family play area, activity room, and a laundry facility. The property will serve low to moderate income families, who desire to live in an urban, residential neighborhood in close proximity to downtown Portland. CHOM's vision for the property is to create a high quality housing resource for the City of Portland that combines the best features of affordable housing, historic preservation, green design and smart growth principles.

The Site

66-68 High Street is comprised of a freestanding three story, 28,954 square foot brick building on a .54 acre parcel located at the corner of High and Danforth streets. The property is situated in an R-6 zone, within one city block of downtown and a B3 zone. The property is also located in one of Portland's first historic districts. The existing building was designed by Fredrick A. Tompson and constructed in 1909 to serve as the Portland's Children's Hospital. It was built as an addition to the Mussey Mansion, which occupied the undeveloped portion of the site from 1801 to 1962, at which time it was demolished. The pictures below and on the following page depict the current site, as well as the property as it existed for more than 160 years prior to 1962.

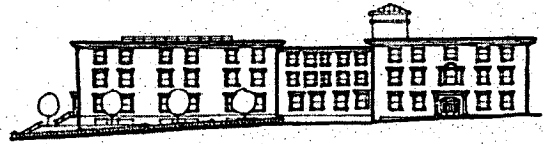


View from corner of High and Danforth Street



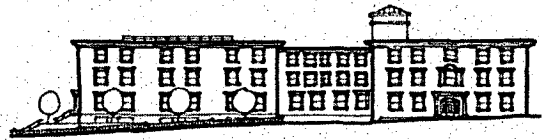
View from High Street

**66-68 High Street
Zone Map Amendment Application**



Section II: R7 Overlay Eligibility

66-68 High Street
Zone Map Amendment Application



Section II: R-7 Overlay Eligibility

The stated purpose of the R7 Overlay is, "...to encourage and accommodate compact residential development on appropriate locations on the Portland peninsula, pursuant to the New Vision for Bayside element of the comprehensive plan and housing plans of the City of Portland..." Within this purpose statement, there are three threshold tests that a project and site must meet to be eligible for an R7 Overlay. Is the proposed project;

1. A compact residential development?
2. On a site that is an 'appropriate' location for an R7 Overlay?
3. Consistent with the city's comprehensive plan and housing plans?

CHOM's proposed development plan for 66-68 High Street clearly meets these three threshold tests.

1. Is the proposed project a compact residential development?

Yes. The Project is a compact residential development of moderate to high density.

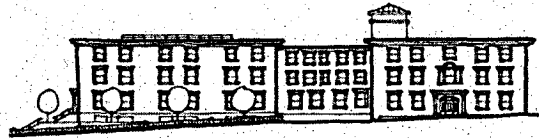
CHOM proposes to create 35 units of multifamily housing on a parcel consisting of .54 acres. The density of the Project will be 680 square feet per unit, as compared to a maximum allowable density in an R7 Overlay of 435 square feet per unit and a maximum allowable density in an R6 zone of 1,200 square feet per unit.

2. Is the proposed project on a site that is an 'appropriate' location for an R7 Overlay?

Yes. The Project is an appropriate site for an R7 Overlay, a) as the term 'appropriate' is defined in the Zoning Ordinance and b) as previously determined by the City Council.

a. Portland's Zoning Ordinance defines appropriate locations for an R7 Overlay as follows; "...locations for siting the R-7 Zone are intended to be located on the peninsula of Portland, in the area encompassed in the Bayside plan, and other peninsula R-6 locations characterized by moderate to high density, multi-family housing in a form and density exceeding that allowed in the R-6 Zone and where infill development opportunities exist; and areas on the peninsula with mixed business and residential zoning..."

**66-68 High Street
Zone Map Amendment Application**



“...moderate to high density, multi-family housing in a form and density exceeding that in the R6 Zone....”: 66-68 High Street is located on the peninsula in an R6 location characterized by moderate to high density, multifamily housing that exceeds the density allowed in the R-6 Zone. The map and corresponding chart provided in **Exhibit A** documents the multifamily housing properties within the neighborhood that exceed the density for an R-6 Zone. This map illustrates that there are more than 25 multifamily housing properties within a two block radius of the subject parcel that have a density that exceeds the allowable density for the R-6 Zone. These properties consist of both for-sale (condo) and rental housing that range in density ranging from approximately 215 to 1,130 square feet per unit, in size from 5 to 190 units, in height from 3 to 7 stories and in year of construction from pre-1900 to 2009.

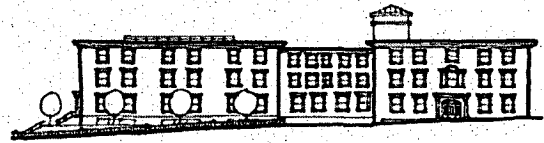
“...where an infill development opportunity exists....”: The Project is proposed for a site where clearly an infill development opportunity exists. The property consists of a nearly vacant historic building that is in good condition and, based on analysis by architects, engineers and historic consultants, can be converted to residential use in conformity with current building codes. In addition, the lot contains sufficient undeveloped land to accommodate a new addition that conforms with existing multifamily housing building codes and R7 zoning requirements.

“...and areas of the peninsula with mixed business and residential zoning....”: As depicted in the map provided in **Exhibit B**, the Project is proposed for a site on the peninsula that is located less than one block from downtown Portland and a high density business zone, B3.

The ordinance further defines ‘appropriate’ locations for the R7 Overlay as follows, *“...Sites suitable for in-city living should be within walking distance of downtown or other work places, shopping and community facilities and have access to public or private off-site parking or transit service....”* The Maine State Planning Office defines walk-able as .25 miles. As demonstrated by the maps provided in Exhibits C, the Project is located within a walk-able distance of;

downtown Portland	public parks
grocery	public library
convenience stores/markets	museums
restaurants	public parks
shopping	public school
pharmacy	churches
day care facilities	metro stops
fitness centers	Portland trail system
health care facilities	Portland waterfront
private parking garages	public parking garages

66-68 High Street
Zone Map Amendment Application



- b. The site proposed for the Project also meets the test as an 'appropriate' location for an R7 Overlay because the Planning Board and City Council have already deemed that this location and the surrounding neighborhood are suitable for an R7 Overlay, as well as high density multifamily housing developments—and, have incorporated those determinations into the Zoning Ordinance.

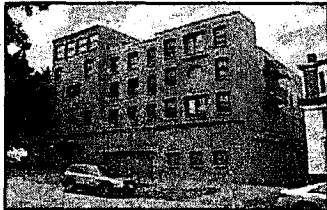
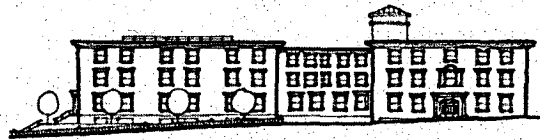
The City Council has approved three high density multifamily housing developments in close proximity to the Project, including one directly across High Street and a second less than one block from the Project. Each of the developments proposed a density significantly greater than the one proposed for the subject property. Yet, in these approvals, the Council specifically acknowledged that high density multifamily residential projects in this neighborhood 1) are consistent with the Comprehensive Plan and 2) would not unreasonably interfere with existing and permitted uses and/or negatively impact the surrounding residential community.

Furthermore, in the case of 81 Danforth, located directly across High Street from the Project, the City Council determined; "...WHEREAS, the proposed development is consistent with the purposes of the R7 Compact Urban Residential Overlay Zone as it is on the peninsula; in a location characterized by moderate to high density multi-family housing; within walking distance of downtown or other work places, shopping and community facilities; will have access to public transit service; and will provide opportunities for compact in-city living for owners, and possibly renters, representing a variety of income levels in small households...." The chart below summarizes each of the previously approved high density multifamily housing developments for the subject neighborhood.

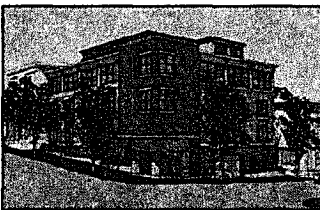
Approved High Density Multifamily Housing Developments in Subject Neighborhood

Project Name	Street Address	CZ No.	Lot Size (square feet)	Units	Density (SF per unit)	Date of Approval
subject property	66-68 high	n/a	23,797	35	680	n/a
casco terrace	41 state street	C29	10,150	27	376	Apr-03
danforth on high	danforth/high	C49	7,619	26	293	Dec-07
53 danforth	53 danforth	C51	16,568	43	385	Jun-08

66-68 High Street
Zone Map Amendment Application



Casco Terrace, 41 State Street



Danforth on High, 81 Danforth Street



53 Danforth

3. Is the proposed project consistent with the City's Comprehensive Plan and housing plans?

Yes. The Project is consistent with the City's Comprehensive Plan and, more specifically, the housing component of that plan, *Housing: Sustaining Portland's Future*.

Housing: Sustaining Portland's Future lays out six major policy objectives to achieve the City's housing goals and address Portland's housing shortage. Each of these primary policies outlines a number of secondary policy goals. The proposed Project is consistent with or meets at least 17 of the housing policy goals detailed in the city comprehensive housing plan;

Policy #1: Ensure an Adequate and Diverse Supply of Housing for All

- i. *Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied.*

The Project will provide affordable housing to households earning between \$20,000 and \$45,000 annually.

- ii. *A variety of housing choices should be available such that no one should have to spend more than 30% of their income for housing.*

The Project will be financed with low income housing tax credits, a financing tool specifically designed to set rents at affordable levels—i.e. approximately 30% of household income—for low and moderate income households.

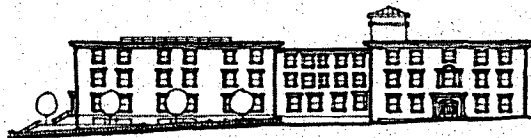
- iii. *Encourage higher density housing located near services, such as schools, businesses, institutions, employers, and public transportation.*

As previously documented, the Project is a moderate density development near the services and facilities listed above.

- iv. *Increase Portland's rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords.*

The Project will bring 35 new units into Portland's rental housing stock.

**66-68 High Street
Zone Map Amendment Application**



- v. *Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.*

The Project involves a parcel that—as a result of the demolition of a historic property in the 1960’s—has a large undeveloped component.

Policy #2: Preserve a Quality Housing Stock

- i. *Assist with the restoration and rehabilitation of architecturally significant residential properties within and outside of Portland’s historic districts.*

The Project involves the historic rehabilitation of a building located in Portland’s first historic district.

- ii. *Target vacant buildings for maintenance, rehabilitation and reuse.*

The Project involves a nearly vacant building that can be converted to residential use.

Policy #3: Neighborhood Stability and Integrity

- i. *Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of the City’s residential neighborhoods.*

The Project’s conceptual design thoughtfully borrows directly from the scale and massing of the historic building that occupied the site for 160 years.

- ii. *Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.*

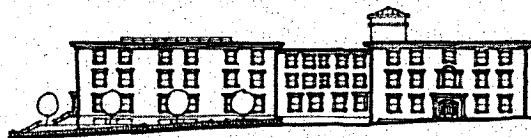
As documented previously, the Project is located in close proximity to the neighborhood assets listed above.

- iii. *Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.*

As an affordable housing property with a mix of one, two and three bedrooms, the Project will add socio-economic diversity to the neighborhood

Policy #5: Sustainable Development

66-68 High Street
Zone Map Amendment Application



- i. *Encourage growth in Portland that strives for a dynamic balance of the essential elements of the city, such as excellent schools, diverse housing choices, proximity to services and employment, increased public transit usage, expanded economic base, high quality services and an affordable tax rate.*

The Project will provide diverse housing choices, proximity to services and employment and—by converting a tax-exempt property to a taxable property—expand the city's economic base.

- ii. *Maximize development where public infrastructure and amenities, such as schools, parks, public/alternative transportation, sewer lines and roads, exist or may be expanded at minimal costs.*

As documented previously, the Project is located in an urban setting that is serviced by the public infrastructure and amenities listed above.

- iii. *Create new housing to support Portland as an employment center and to achieve an improved balance between jobs and housing.*

The Project will bring 35 new units into Portland's rental housing stock and be affordable to households working in many peninsula-based occupations.

- iv. *Locate and design housing to reduce impacts on environmentally sensitive areas.*

As an urban infill development involving the adaptive reuse of an historic structure, the Project is designed from the beginning to reduce the environmental impacts associated with new development.

- v. *Design housing to use new technologies and materials that reduce costs and increase energy efficiency.*

The Project is being designed to achieve LEED Silver certification.

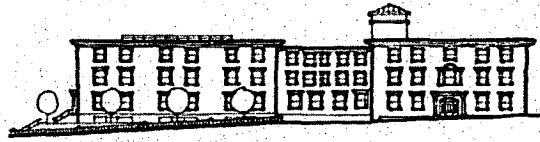
Policy #6: Freedom of Choice

- a. *Increase and ensure equal access to housing opportunities for minorities, low-income people and persons with disabilities and special needs.*

As documented, the Project will increase access to high quality housing for households of low and moderate income.

- iii. *Ensure that an adequate supply of new and existing housing is accessible to persons with*

**66-68 High Street
Zone Map Amendment Application**

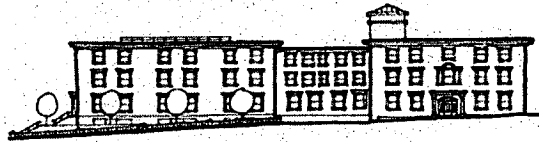


physical disabilities.

The Project has committed as part of its financing application to MaineHousing to provide a high number of fully-ADA compliant units than is required under state and federal building codes.

Section III: Two Key Questions

66-68 High Street Zone Map Amendment Application



Section III: Two Key Questions

This section address two key questions raised by the Planning Board during the July 27th Work Session.

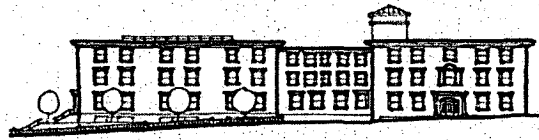
1. Why is the R7 Overlay—rather than Conditional or Contract Zoning—the appropriate zoning tool to use for the Project?

A R7 Overlay is the appropriate zoning tool to use for this Project for two reasons;

- a. The R7 Overlay was incorporated into the Zoning Ordinance “...to encourage and accommodate...” moderate and high density multifamily housing in appropriate locations on the peninsula and consistent with the city’s Comprehensive Plan. To the extent that there is a proposed development that is 1) moderate to high density multifamily housing, 2) in an appropriate location, 3) consistent with the City’s Comprehensive Plan AND 4) can be developed in conformity with R7 zoning standards, then the R7 Overlay is the tool created by the City Council to encourage and accommodate that development. The enclosed information clearly illustrates that the Project meets the three threshold tests outlined above. Furthermore, the Project as proposed can be developed in conformity with all R7 zoning standards, as detailed in the zoning analysis below.

Description	Residential R-6	Residential R-7	Proposed Project
Multi-family Dwellings	Permitted	Permitted	---
Minimum Lot Size	4,500 Square Feet	None	23,797 Square Feet
Minimum Street Frontage	40 Feet	None	200 Feet
Minimum Front Yard Setback	10 Feet	None	15 Feet
Minimum Side Yard Setback	10 Feet (3 Stories)	5 Feet	25 Feet
Minimum Rear Yard Setback	20 Feet	5 Feet	30 Feet
Minimum Lot Width	50 Feet	30 Feet	200 Feet
Maximum Lot Coverage	40 Percent (20+ Units)	100 Percent	57 Percent Building Coverage 76 Impervious Surface Coverage
Maximum Density	1,200 SF/Unit	435 SF/Unit	680 SF/Unit
Maximum Bldg. Height	45 Feet	50 Feet	45 Feet
Open Space Ratio	30 Percent (20+ Units)	None	24 Percent

66-68 High Street Zone Map Amendment Application



Parking Spaces	2 Spaces / Unit plus 1 space/6 units	1 Space / Unit	15 Spaces (Building Addition)
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It is important to note that there have been three comparable multifamily housing developments located in close proximity to the Project that have been approved by the City Council under Conditional or Contract Zoning. These three projects—41 State Street (Casco Terrace), 53 Danforth and 81 Danforth—required conditional zoning because, in part, they did NOT meet R7 Overlay zoning requirements for density and parking; that is, these projects could not be developed under an R7 Overlay and, therefore, required conditional zoning. The proposed Project is materially different from the three previous multifamily housing developments approved for this neighborhood in that it can be built in compliance with R7 zoning standards.

- b. Conditional or Contract Zoning is intended, generally, as the zoning tool of last resort and, specifically, for the purpose of ensuring that a development project, which has a unique or unusual feature is ultimately consistent with the City's Comprehensive Plan.

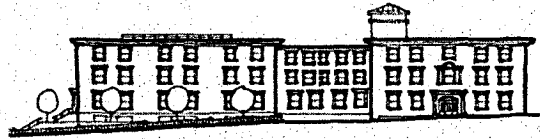
As indicated above, the Project can be built using an R7 Overlay and, as such, the R7 Overlay is the least restrictive tool available to the Planning Board and City Council to encourage and accommodate the proposed development. The fact that the Project can be developed using an R7 Overlay further suggests that there is not an unusual nature or unique location of the development. Finally, as demonstrated within this submittal, the Project is consistent with the city's Comprehensive Plan, and, going forward, the Planning Board and City Council can ensure that this project remains consistent with the Comprehensive Plan using the R7 Overlay, as well as Site Plan and Subdivision review.

- 2. **Should an R7 Overlay be utilized for this project—rather than Conditional or Contract Zoning—given that it will provide the property owner the right to build up to 54 housing units (even though the applicant only proposes 35 units)?**

Any concern that 54 units could theoretically be developed on the site should a R7 Overlay be approved is mitigated by the three factors;

- a. **Remaining Regulatory Review Process:** If an R7 Overlay is approved, the Planning Board and city will regulate what is ultimately developed on this site through the Site Plan and

66-68 High Street Zone Map Amendment Application



Subdivision approval process. Of particular note, since the site is located in a locally designated historic district, any development involving this property must also receive a Certificate of Appropriateness from the city's Historic Preservation Board as part of the Site Plan review. In issuing that certificate, the board will apply the Secretary of Interior Standards for Historic Preservation—which include review of any new construction and additions. Therefore, even after an R7 Overlay is approved, the city will continue to have direct purview over the scale, massing and density that is proposed for this site.

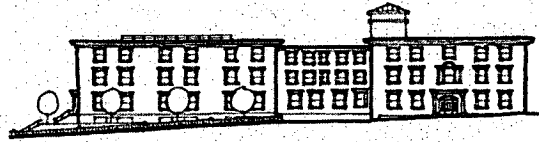
To support the case outlined above, the concept development plans presented in this submittal are based directly on feedback the project team received during initial discussions with its historic consultant and the city's Historic Preservation Program Manager. Based on this initial input, it is unlikely that a 54-unit project—and the associated building mass necessary to accommodate that number of units—could receive a Certificate of Appropriateness from the Historic Preservation Board.

- b. **Practical Finance Limiting Considerations:** CHOM has received a preliminary financing approval from MaineHousing based on a 35-unit project. If the unit count is increased, CHOM will have to resubmit a financing plan to MaineHousing, thus jeopardizing the in-place financing commitment for the Project.

- c. **Practical Site Limiting Considerations:** Notwithstanding Historic Preservation Board approval, the maximum number of units that this site can accommodate under the R7 Overlay is significantly restricted by physical site issues. Specifically, the R7 Overlay requires a 1:1 parking ratio for each unit added to the site as part of a new addition. Absent multi-level structured parking—which is financially and politically infeasible—the site can only accommodate an estimated 17 parking spaces and, therefore, 17 apartment units in the new addition. The existing building because of its layout and historic nature has physical constraints that make it highly unlikely that it could accommodate 34 marketable units. (CHOM is proposing 20 units in the existing building based on input from its architect, engineer, and historic consultant, as well as findings from a market study.)

Notwithstanding the three mitigating factors outlined above, it is also important to note that Conditional or Contract Zoning is not an absolute safeguard that 35 (or fewer) units will be developed on this site. For example, the conditional zone process might result in negotiated site development requirements that increase the total development costs, which in turn could necessitate a higher number of units (and rental income) to offset those costs. Or put another way, in terms of policy, the negotiated site development requirements may be a higher priority for the city than capping the project to 35 units. As demonstrated by the three most recently approved multifamily housing properties near this site, there is strong precedent for the

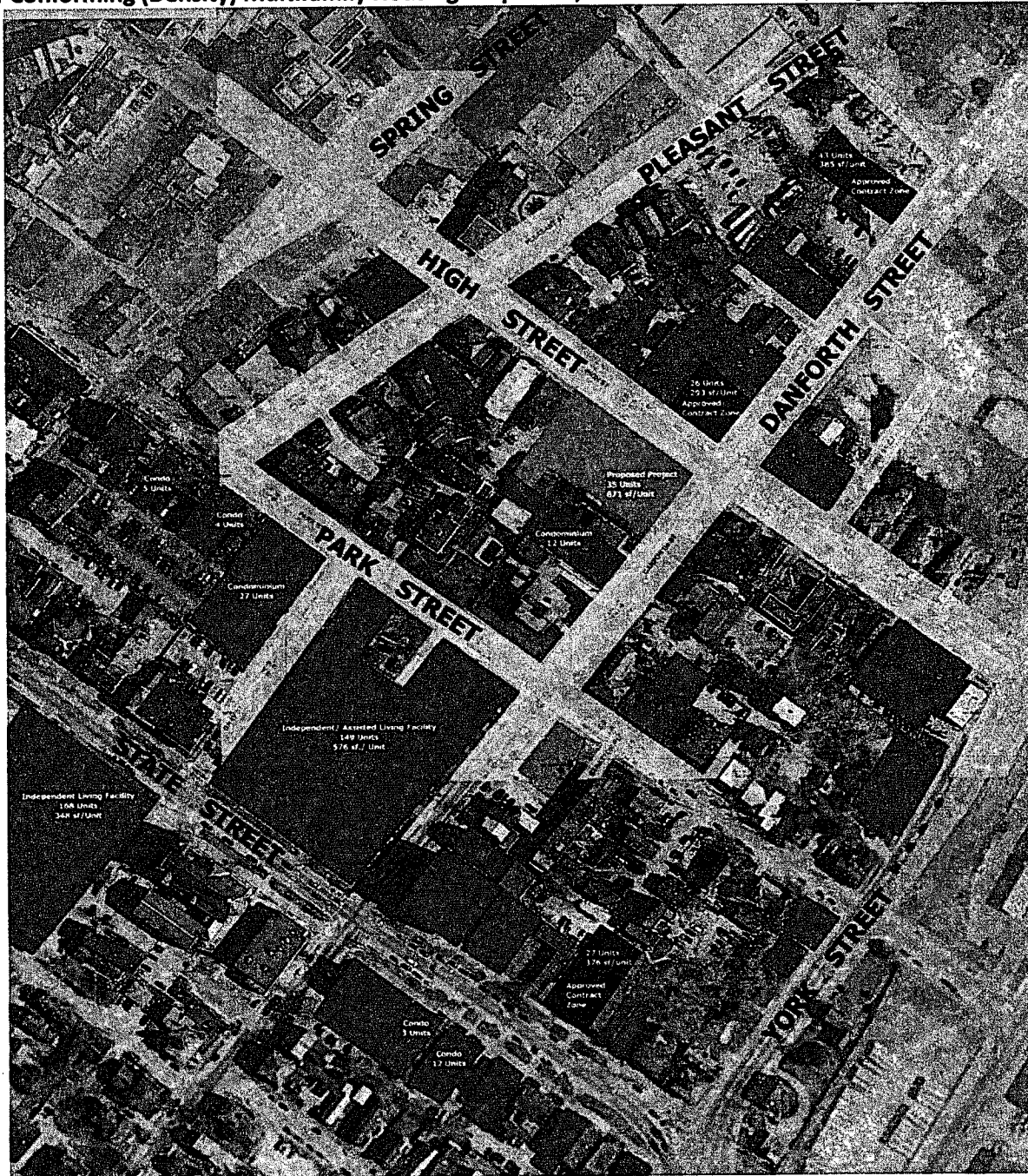
66-68 High Street Zone Map Amendment Application



Planning Board and City Council to support much higher densities in this neighborhood through Conditional and Contract Zoning than the density proposed for the Project.

Exhibit A:

Map: Non-Conforming (Density) Multifamily Housing Properties, Greater than 4 Units, Subject Neighborhood



66-68 High Street Zone Map Amendment Application

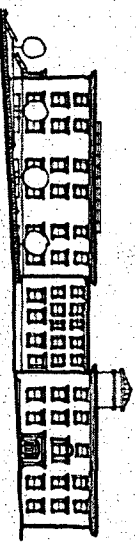
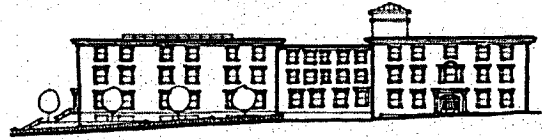


Exhibit A:
Chart: Non-Conforming (Density) Multifamily Housing Properties, Greater than 4 Units, Subject Neighborhood

Non-Conforming (Density) Multifamily Rental Properties Greater than 4 Units, West End 86 Zone
Data provided by the City of Portland Assessor's Database

street	address	name	building size (sq)	Lot Size (sq)	Units	Density (units/sf)
Brackett	59		9,728	4,450	6	742
Brackett	46	PROP		3,690	5	738
Brackett	42	Shalom	5,760	5,824	16	364
Clark	184		5,616	3,021	6	504
Clark	170		7,885	4,461	6	744
Clark	146		6,597	5,668	7	810
Danforth	92		7,960	2,625	12	219
Danforth	53	53 Danforth	37,137	16,968	43	385
Danforth	115	75 State (incl lot 044-G001 on danforth)		85,907	149	577
Danforth	180	Beverly	7,050	4,939	10	496
Danforth	77		5,250	4,624	9	514
Danforth	75		5,880	4,422	8	553
Danforth	206		6,235	4,050	7	579
Danforth	130	Stateway Apts	7,014	3,555	6	593
Danforth	214		6,286	4,452	6	742
Danforth	67		8,694	7,183	7	1,026
Danforth	240	Danforth Heights	60,512	71,064	67	1,061
Danforth	254		11,000	6,365	6	1,061
Danforth	284	Portland Housing Authority	102,610	98,881	150	659
Emery	104		4,484	3,120	6	520
Emery	87		8,152	4,288	6	714
Emery	87		12,532	4,287	6	715
Emery	108		9,694	7,586	6	882
Gray	83		11,184	7,586	10	799
Gray	64	Peregrine	3,582	4,200	7	600
High	69		6,636	4,420	11	402
High	90		9,420	4,738	10	474
High	65		6,671	5,146	9	572
High	51		10,872	8,890	12	741
High	24		13,137	9,378	12	782
High	28		7,872	5,474	7	782
High	100		9,924	2,650	8	331
Park	114		6,749	2,000	5	400
Park	114		6,790	3,678	8	485
Park	22		6,934	2,650	5	530
Park	112		7,854	6,503	12	542
Park	129		10,188	7,491	12	624
Pine	51	Butler School	49,254	16,726	39	429
Present	120		6,256	2,786	9	310
Salem	8		7,960	4,160	9	462
Salem	48	Danforth Heights	75,424	66,211	69	960
Spring	126		3,694	2,123	6	354
Spring	314		17,660	7,849	19	413
Spring	257		8,670	4,673	11	425
Spring	204		8,200	3,768	8	471
Spring	262		6,258	4,119	7	588
Spring	291		7,432	7,982	9	887
State	59	Shalom				
State	100	100 State	42,424	8,998	42	214
State	41		169,748	58,551	168	349
State	177		37,264	10,150	27	376
State	131		6,704	2,787	7	398
State	171		11,719	8,850	17	521
State	36		6,430	2,646	5	529
State	173		14,493	11,286	21	537
State	51		10,800	5,470	10	547
State	51		11,956	9,037	15	602

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State	62	16,596	15,118	25	605
State	54	7,784	6,234	7	891
State	111	14,414	11,042	12	920
State	125	9,456	8,825	9	981
State	27	6,988	7,000	7	1,000
State	32	14,700	8,432	8	1,054
Tyng	39	9,408	7,339	7	1,048
West	30	34,320	11,292	44	257
York	127	11,764	7,122	12	594
York	153	5,466	3,100	5	620
York	193	5,148	4,799	5	960

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Zone Map Amendment Application

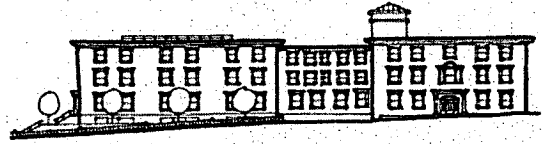
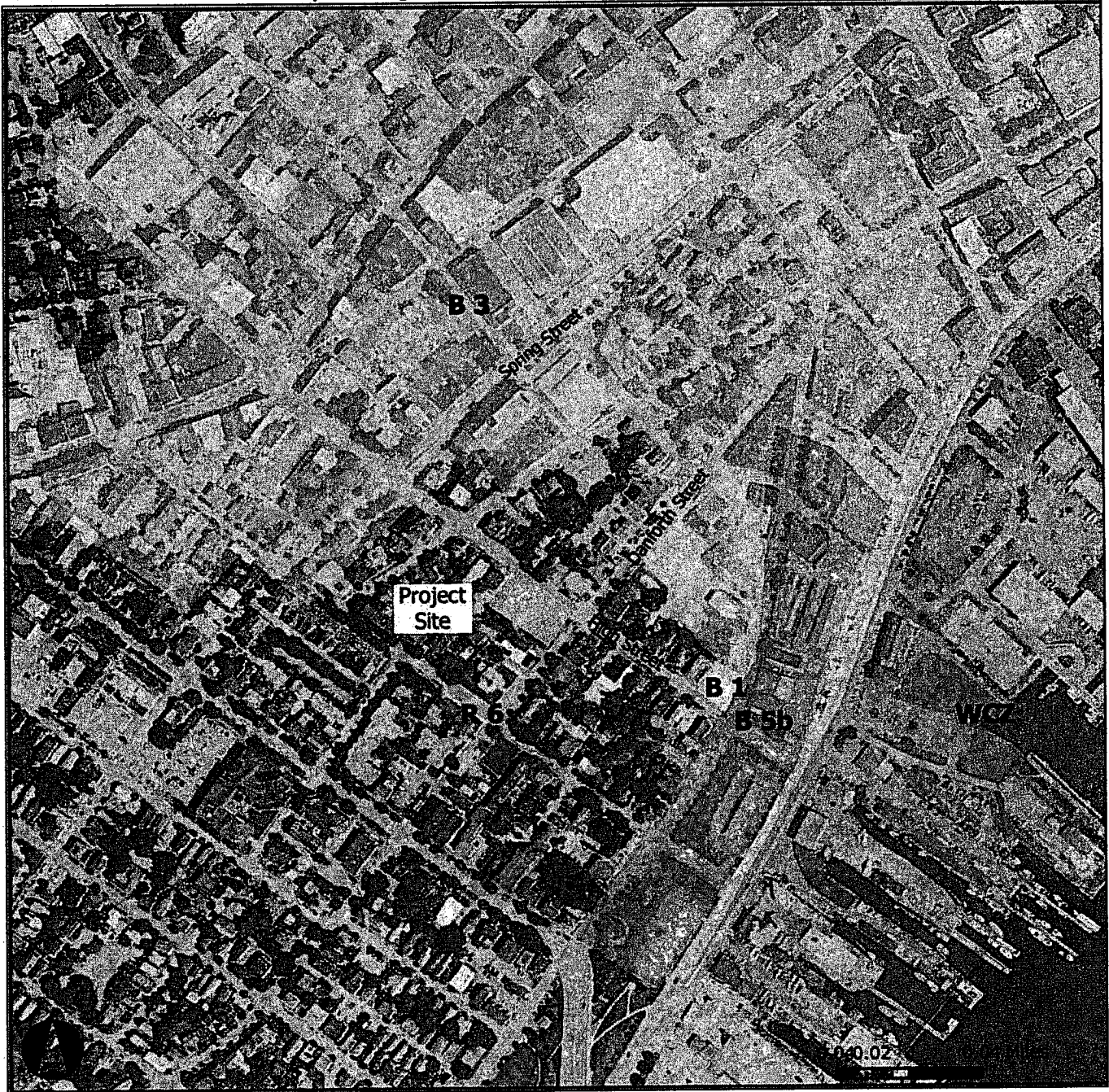


Exhibit B
Map: Zoning Districts in Subject Neighborhood



66-68 High Street
Zone Map Amendment Application

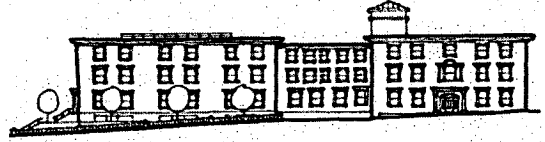
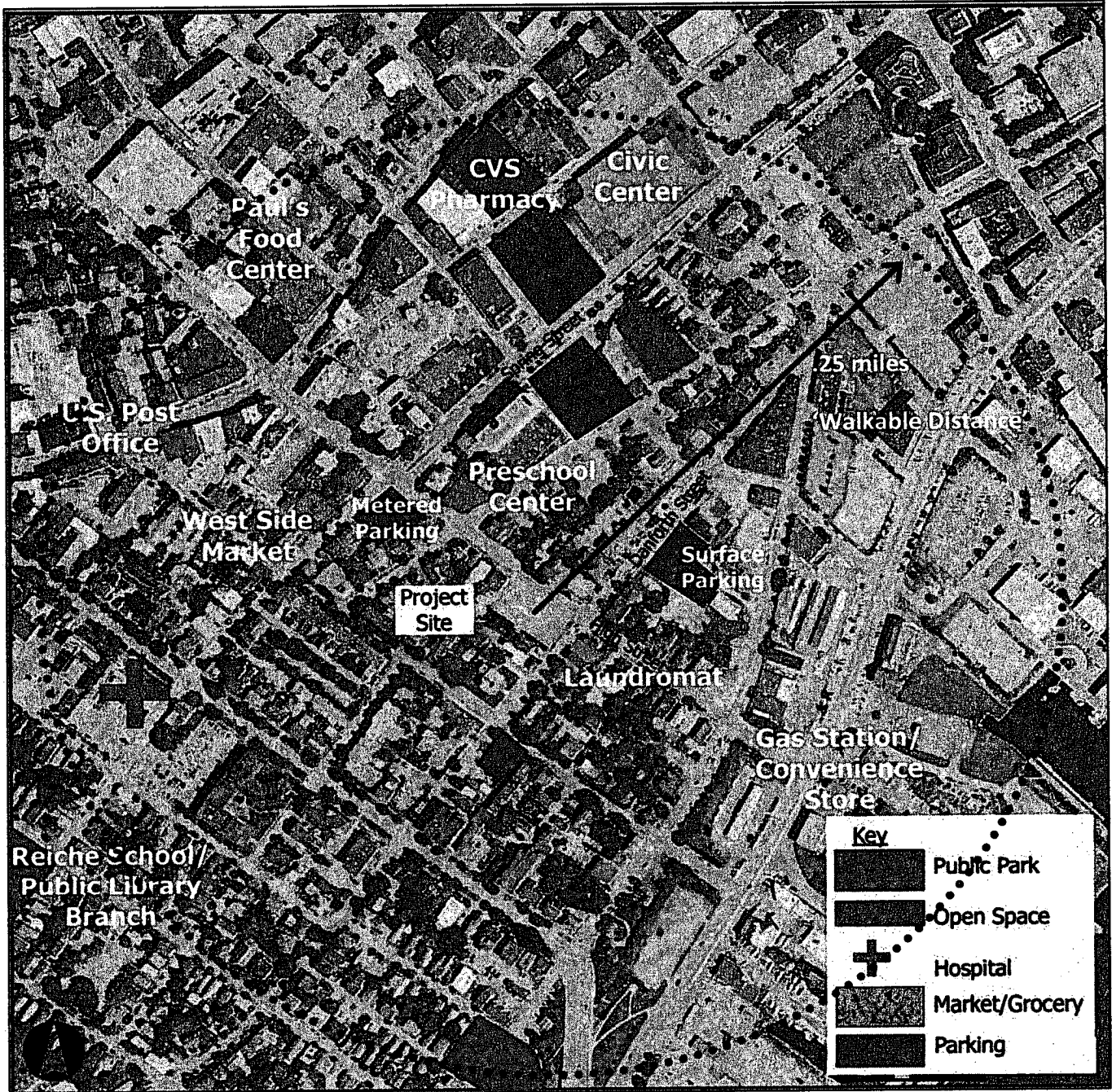


Exhibit C:
Maps: Neighborhood Assets & Off-Street Parking



66-68 High Street



NEIGHBORHOOD MEETING

August 19th, 2010

66-68 High Street



SCHEDULE/AGENDA

1. **Introduction (Todd Alexander | Community Housing of Maine)**
 - a. Housekeeping Items
 - b. Why are we here?
 - c. Our Vision

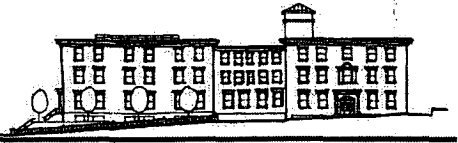
2. **Conceptual Design Plans**
 - a. Historic Site (Scott Hanson | Sutherland Conservation & Consulting)
 - b. Building Design (Ben Walter | CWS Architects)
 - c. Site Plan (John Mitchell | Mitchell & Associates, Landscape Architects)

3. **What makes this 'affordable' and 'workforce' housing? Who's going to live here? (Todd Alexander | CHOM)**
 - a. Affordable Housing
 - b. Workforce Housing

4. **Why is CHOM doing this?**

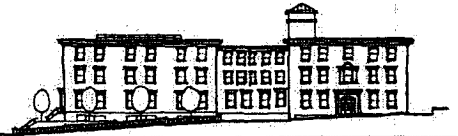
5. **Public Comment/Q&A**

66-68 High Street



<<PLACE HOLDER: HISTORIC SITE SLIDES>>

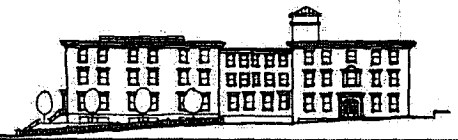
66-68 High Street



CONCEPTUAL DESIGN: BUILDING ELEVATION FROM HIGH STREET



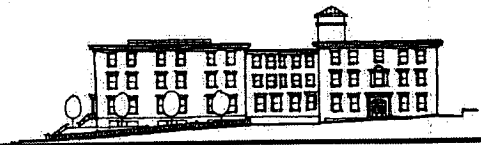
66-68 High Street



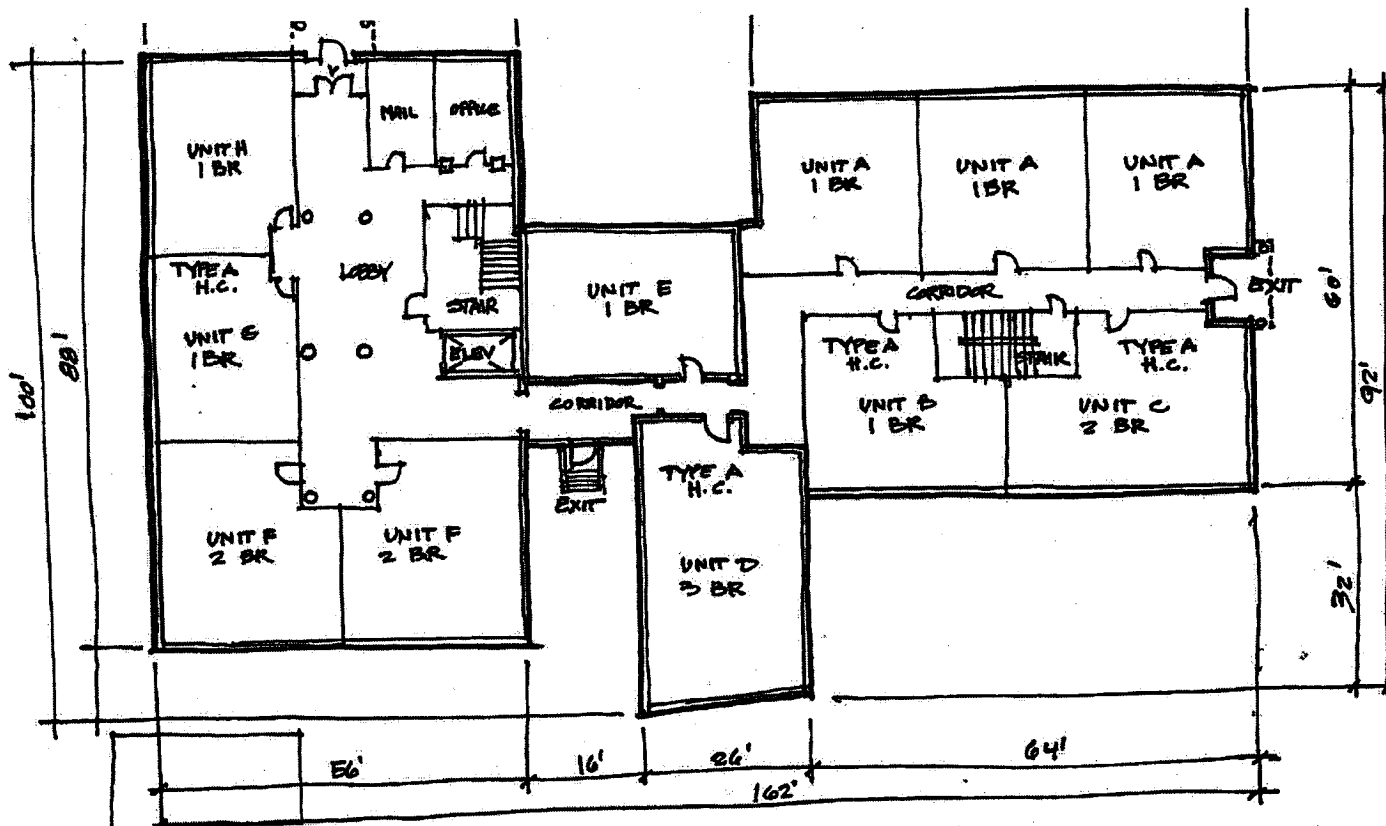
CONCEPTUAL DESIGN: BUILDING ELEVATION FROM DANFORTH STREET



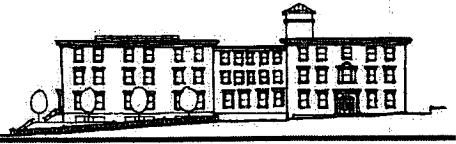
66-68 High Street



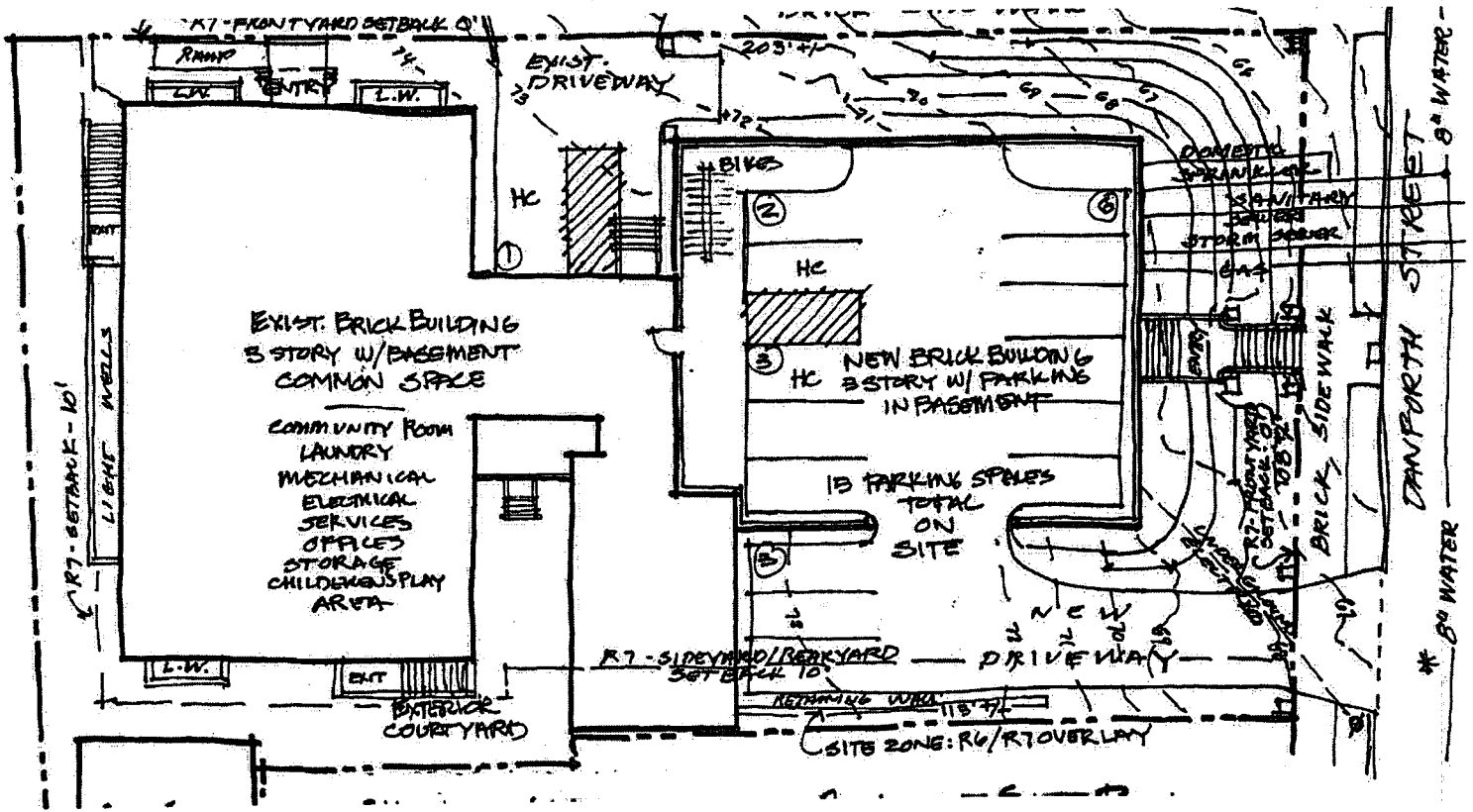
CONCEPTUAL DESIGN: REPRESENTATIVE RESIDENTIAL FLOOR PLAN



66-68 High Street



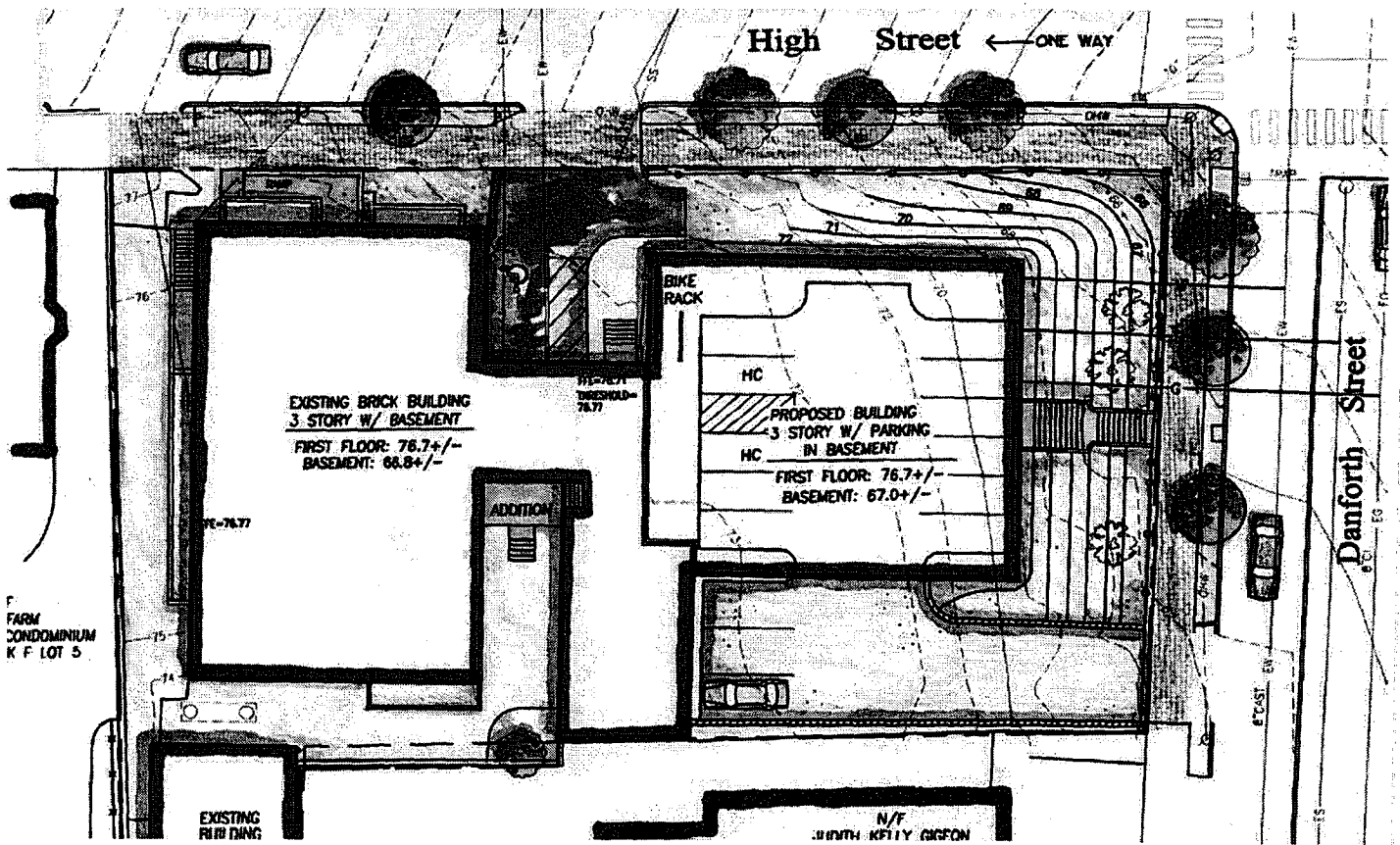
CONCEPTUAL DESIGN: BASEMENT LEVEL / GARAGE FLOOR PLAN



66-68 High Street



CONCEPTUAL DESIGN: SITE PLAN



66-68 High Street



WHAT MAKES THIS 'AFFORDABLE' AND 'WORKFORCE' HOUSING? (WHO WILL LIVE HERE?)

o Affordable Housing:

➤ As a condition of the financing that the project will receive, there will be a 1. maximum income that an applicant can have to be eligible to live at the property and 2. a maximum rent that we can charge. Those maximums are below 'market' averages.

➤ If the property was operating today, the maximum income and rent levels would be;

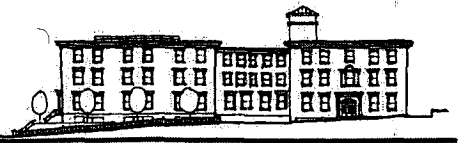
Estimated Maximum Income Caps

Household Size	Maximum Income Levels		Portland Median Income
	Type I Apts	Type II Apts	
1 person	\$25,500	\$30,600	\$51,000
2 person	\$29,150	\$34,980	\$58,200
3 person	\$32,800	\$39,360	\$65,500
4 person	\$36,400	\$43,680	\$72,800

Estimated Maximum Rents

Unit Type	66-68 High Asking Rents		Market Rents
	Type I Apts	Type II Apts	
1 bedroom	\$635	\$775	\$930
2 bedroom	\$765	\$925	\$1,110
3 bedroom	\$880	\$1,065	\$1,295

66-68 High Street



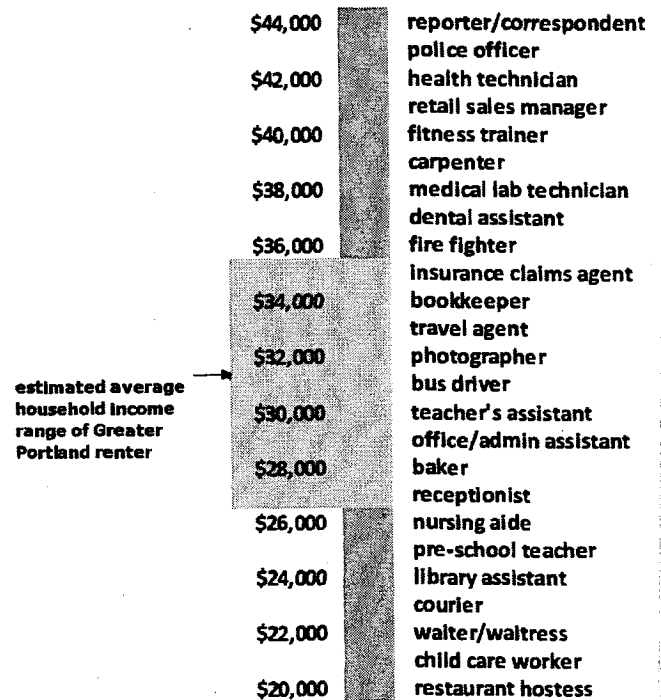
WHAT MAKES THIS 'AFFORDABLE' AND 'WORKFORCE' HOUSING?

o Workforce Housing:

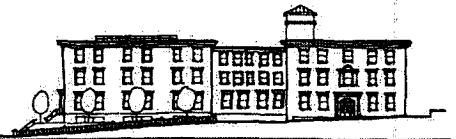
➤ Regardless of maximum income levels, an applicant must also demonstrate the ability to pay the asking rent.

➤ If the property were operating today, the income range that an applicant should be within to be eligible to live at the property would be approximately \$20,000 to \$44,000, depending on household size. This range compares favorably to the average household income of the average renter in Greater Portland, as well as average wages for many peninsula based occupations.

Estimated Minimum and Maximum Income Levels of Eligible Applicants as Compared to Average Wages by Occupation in Portland MSA



66-68 High Street



WHY IS CHOM DOING THIS?

- CHOM'S mission is to create, own and operate housing for at-risk and underserved populations. In Greater Portland (and other areas of Maine), low and moderate income households are an at-risk and underserved population as it relates to high-quality affordable rental housing. The problem in Greater Portland is two-fold; 1) severe lack of supply, 2) average rents are unaffordable for the average renter.

- Lack of Supply:
 - Portland just completed its Strategic 5-Year Consolidated Plan for Housing & Community Development and determined that the city requires 3,408 new rental units over the next 15 years to meet projected new demand—a production rate of roughly 225 apartments per year.
 - A market study completed this spring determined that the vacancy rate for affordable rental properties in Greater Portland is estimated to be 2.0% – which, factoring in down units as part of normal unit turnover, translates to an effective vacancy rate of 0%.
 - CHOM recently completed a phone survey of comparable rental properties on the Portland peninsula representing more than 1,200 units. Included market rate, mixed income and affordable properties. Total number of vacant units: 14.

- Low Affordability:
 - The average income required to afford the average 2-bedroom apartment in Greater Portland is \$41,225. The average renting household in Greater Portland earns between \$27,225 and \$35,313 annually.
 - There are 15,750 renters in Portland. Of these 42% are either Cost Burdened or Severely Cost Burdened.

66-68 High Street



END OF PRESENTATION

PLEASE SIGN IN

Name	Address	Phone	Email
Joan Donnen	88 Park St. #1 (04101)		Joan2@myfairpoint.net
Sheryl McGinnis	5 Stratton Rd	774-5030	Sheryl SmcGins6@gmail.com
David Fenton	796 Park St		crossleer32@yahoo.com
Karen Harrison	PO Box 7784 / 04112	774-0025	karen.harrison@maine.edu
ANNIE PRINGLE FOR ALEX PRINGLE	72 Hill St 04101	318-5019	OLDMAYOR@MAYOR.ME.CD
Isabel Anderson	124 D Pleasant St.	776-3311	isaudev ¹⁹³⁶ @yahoo.com
DAVID LACASSE	80 HIGH ST	831-1980	LOAFKIT@MAINE.RR.COM
JANE FORAN	94 Park St	329-7579	JANE FORAN 2 AOL.COM
Judith Kelly	97 Danforth	415-6423	jikeluyl@maine.rr.com
Ellen Call	77A Park St. 04101	761-2888	CallEllenFWM@aol.com
Tilly Weil	59 State St. # 47		etweyl@gmail.com
Rosanne Graef	30A Salem St. 04102		rgraef@qwi.net
John HARRISON	67 High St.	773-1376	67HighSt@gmail
Joseph Thompson	67 High	773-1376	j7731376@gmail
Hilary Bassett	93 High St, Greater Portland Landmarks	774-5561	hbassett@portland LandmarksRes.org
Nate Huckel-Bauer	78 High St. #1		
Tanya Richard	74 High St #2		tanyanas@gmail.com
Christine Hey	74 High St		Chelye Maine.RR.COM

Children's Hospital Neighborhood Meeting 8/19/2010

Neighbors in attendance: Justine Alynn, Isabel Anderson, Hillary Bassett, Ellen Call, Jamie Campbell, Joan Donnen, Nancy Dorrans, David Fenton, Jane Foran, Rosanne Graef, Steve Graef, John Harrison, Karen Harrison, Christine Heye, Nate Huckel-Bauer, Judith Kelly, David LaCasse, Pandora LaCasse, Pamela Lord, Sheryl McGinnis, Ellen Murphy, Anne Pringle, Tanya Richard, Sarah Schindler, Robert Theberge, Joseph Thompson, Tilly Weyl.

CHOM Staff in attendance: Todd Alexander, Erin Cooperrider, Cullen Ryan, Kyra Walker, and Lee Andrews

Other collaborative partners in attendance: Scott Hanson, Ben Walter, John Mitchell and Sashie Misner.

Meeting called to order by Todd Alexander at 6:38pm.

1. Todd gave a brief introduction of CHOM, what we do and who we are. Todd introduced the development team- himself and Erin Cooperrider.
2. Erin introduced other CHOM staff including the Asset Management team, Kyra Walker and Lee Andrews, and Cullen Ryan, the Executive Director. The design team was introduced Scott Hanson, Sutherland Conservation & Consulting; Ben Walter, CWS Architects; and John Mitchell, Mitchell & Associates, Landscape Architects.
3. Why is CHOM here?
 - a. CHOM has started the permitting process and wanted to provide information and get feedback from the neighbors.
 - b. CHOM is a non-profit housing developer with 14 years of experience. CHOM is different from other non-profit housing developers because of the collaborative approach used. CHOM collaborates with the neighbors, various service providers, architects, landscapers, etc. CHOM believes that good collaboration equals success. Erin suggested people visit the website to better understand CHOM's work and experience www.chomhousing.org
 - i. **Q:** Where on the peninsula does CHOM have other projects?
A: Erin responded; there are none on the peninsula yet and that is mainly because there is already a lot of talent in the development of affordable housing in Portland. The motivation to do this project was the opportunity introduced to CHOM to do something really great with this building in particular.
 - c. Name for the project - there is not a name for the project currently. The goal is to do a great project with support from the neighborhood and the city; this will be CHOM's neighbor as well. Given the building, the neighborhood, and the CHOM team, we know that we can achieve success. There will be ongoing collaboration to ensure this project remains successful.
4. Scott Hanson, Sutherland Conservation & Consulting - Scott's involvement with this project is focused on guiding the process for use of historic preservation tax credits and approvals through the Historic Preservation Board.
 - a. History of site - Scott gave a brief history of the Mussey Mansion which was built in 1876. In 1910 the Mussey Mansion was combined with Children's Hospital. In 1909 the Children's Hospital was completed extending onto High Street and it stood this way from 1909-1962. In 1942 the mansion was covered with ivy and the fence was installed, which still stands today.
 - b. The new plan - the goal is to restore the site to the existing building footprint. For $\frac{3}{4}$ of the time the building existed, there was a structure that extended onto High Street.
5. Ben Walter, CWS Architects - has collaborated with CHOM for 6 years. CWS has mostly focused on multifamily housing and restoration work. CWS tends to work in more urban settings in restoring historic buildings to allow an additional 100 years of use. Their most recent work has been the Bessey School in Scarborough. This project is a similar restoration to High Street in that they are historic tax credit, affordable housing, and historic

preservation rehabilitation projects. CWS's most current work with CHOM includes Maine Hall in Bangor, also a historic restoration for affordable housing on the Bangor Theological Seminary campus.

- a. First approach - what is the best way to restore the historic building? Preserve the character of the lawn that wraps around the building. The terrace lawn in the design reflects that. Every historic photo shows elm trees; in the last 10 years they have developed new strains of elm trees that are disease resistant. Part of the project will re-introduce new elm trees. The elevator tower is an existing component, when looking at the historic photos it doesn't show the height.
 - i. **Q:** Pamela Lord - what are the utilitarian aspects of the building?
A: The plan of building comes first. Todd responded that we can talk further about that after the design presentation.
- b. Site sketch - there are several ideas for trash removal, one being the utilization of the service ally considering the original intent to use this area was for trash removal. Erin explained that some other specific ideas include an internal trash room and then the trash would be wheeled out to sidewalk. A dumpster is another idea. Todd added that one of the nice features in the building is the direct access to the back parking lot from the basement.
 - i. **Q:** Joseph Thompson - what is the minimal level of LEEDs certification required for this project?
A: Erin - while there is no requirement, CHOM's internal goal is to gain silver certification.
 - ii. **Q:** Nancy Dorrans - what is LEEDs?
A: Ben - Leadership in Energy & Environmental Design (LEED) is a green building certification system, providing third-party verification that a building was designed and built using strategies intended to improve performance in metrics such as energy savings, water efficiency, CO2 emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. Even though it is not required at this property, we may go for a LEED certification.
 - iii. **Q:** David Fenton - how are you going to heat the building?
A: We are not sure yet. We are looking at the building as a whole and will see what the most efficient heating system available is. We will undergo energy modeling to find the best return on our investment. Erin asked David if he has a preference. David's preference would be gas and something highly efficient.
- c. Ben went back to the site plan to discuss parking. The idea is to conceal parking so it doesn't look like a parking lot. Similar to the Victorian Mansion there would be a ramp leading down to parking so it would be below street level.
 - i. **Q:** Ellen Call - how many spaces will there be?
A: There is no definite answer yet, but the intent is to make adequate parking for the building.
 - ii. **Q:** Will most of the clients have cars?
A: There is a 15 parking space requirement. We are looking into alternate solutions such as a shared car for the property and/or renting additional parking spaces at another location.
 - iii. **Q:** Isabel Anderson - David Marshall said that the project would be feasible for people because it is only 1 block from Congress St, but it is actually 3 blocks, and that a grocery store is 3 blocks when it is actually 6 blocks away. This is not realistic in the winter for people who do not have vehicles.
 - iv. **Q:** Rosanne Graef - is there a requirement for 1:1 parking? Will every tenant have a parking space?
 - v. **Q:** Sarah Schindler - what are the permitting requirements?
A: The zone amendments - R7 compact residential overlay zone for this parcel. The purpose is to encourage and support high density traffic.
 - vi. **Q:** Pamela Lord - what is the average size of one unit?
A: 600 square feet for a 1BR, 800 square feet for a 2BR, 1000 square feet for a 3BR.

6. John Mitchell, Mitchell & Associates, Landscape Architects – John’s role is to assist in site design and to take the project through the permitting process. The site design is still in the conceptual stage. The site is a little over ½ an acre in size and is within the R6 zone, but is also eligible for the R7 compact overlay zone, which is what CHOM is requesting from the city. The former mansion is located on an elevated plateau facing Danforth Street. The proposal is to renovate the existing building into residential housing, construct a new edition on the former footprint of the Mussey Mansion, restore the grass slope on Danforth Street and High Street, and build a new stairwell to resemble the former stairwell. Access to the building will be off of Danforth, 110 feet from the intersection. There will be access through the basement to 11 parking spaces and there will be 4 additional spaces including a handicapped space. There will be a gated service entry for maintenance, etc. There will be new elm trees, with the remainder of the property landscaped with shrubs and trees. The minimum front yard setback is 15 feet from the building, under R7 there is no set back requirement. The side yard proposal is a 25 foot setback, R7 requirements are 5 feet. The rear yard proposal is a 30 feet setback, R7 requirements are 5 feet.
7. Todd – What is Affordable Housing? The Low Income Housing Tax Credit (LIHTC) program is the actual terminology. You will also hear the term “Workforce Housing” used as well.
- a. Data – What makes this affordable housing? The maximum income limit for residents is based on family size and there is a maximum rent limit depending on the unit size. The rents are slightly below market rents.
 - b. Workforce Housing – there is a minimum threshold for what the income has to be in order for someone to live in workforce housing. Generally that income falls between \$20,000 and \$44,000 annual income per year.
 - c. Why is CHOM doing this? CHOM’s mission is to own, operate, and manage at risk and underserved populations. There is a lack of affordable units in Portland’s housing market. Studies show that Portland needs to gain 3,400 additional rental units to meet the new demand. Vacancy rates hover at 1.5 -2% for affordable housing in Portland. CHOM conducted an internal survey and found that of 1,200 affordable housing units in Portland, only 14 of them were vacant. The average renter in Portland cannot afford the average rents. If someone is spending more than 30% of their gross income on rent or a mortgage, they are considered overburdened.
 - i. **Q:** What towns are included in the greater Portland survey?
A: Not sure if areas of Westbrook and South Portland are included.
 - ii. **Q:** Pamela Lord – who will manage this project?
A: CHOM will be the General Partner/owner of the property and will hire a third party manager to run the day to day operations. CHOM currently has a relationship with Preservation Management (PMI) and plans to have them manage this property. PMI is based out of South Portland and manages 1,250 units in Maine and over 7,100 units nationally.
 - iii. **Q:** Robert Theberge – what are the economics of the project? By my estimates, the cost will be \$242,000 per unit (8.5 million). How will affordable rents provide enough revenue to operate this property? Will rents be subsidized?
A: Rents will not be subsidized. Rental revenue will cover operating costs and the funding of a replacement reserve account. The LIHTC program was created as a mechanism to create affordable units with minimal (payable) debt. The LIHTC program incentivizes private investors to buy tax credits that the developer has been awarded which generates the financial resources to create affordable housing.
 - iv. **Q:** David Fenton – is the money only coming from historic tax credits?
A: More than \$2 million is. CHOM applies once for a 10 year allocation.
 - v. **Q:** David Fenton – would CHOM consider not adding the addition?
A: We need to get to a minimum threshold of units in order to create enough cash to cover operating expenses.
 - vi. **Q:** David Fenton – did you find that you could not do the project without the addition?
A: 35 is not the exact number, but more than 20 units are needed.
 - vii. **Q:** Anne Pringle – could we see a pro-forma that demonstrates the project is financially feasible and will not be possible with fewer units?

- viii. **Q:** Robert Theberge – does the Planning Board ask for a business plan? My concern is with the density being proposed in an R6 zone. If you can do 20 units in the R6 zone I would be happier with that.
A: It is very early on in the process so I am unaware if a business plan is required. A 20 unit property will not generate enough revenue to pay for the operating costs of the project.
- ix. **Q:** Ellen Murphy – what is the apartment size breakdown? Who do you expect to live in the property in terms of determining density?
A: There will be 20 (1 bedrooms), 12 (2 bedrooms) and 3 (3 bedrooms). We anticipate that the property will have an average of 1.5 people per bedroom with a comparable population to 51 Danforth St. Tenants will range from seniors to single people who want affordable housing on the peninsula in a professionally managed building. In our 3 existing workforce housing projects, tenants are primarily single parents with kids. The majority of our other residents are elderly, disabled, or single people starting their careers.
- x. **Q:** Karen Harrison – is there a mechanism to develop this property without going for the R7 zone change?
A: We need an R7 zone change as it will allow up to 57 units to be created. If the zone change was approved, but the project was never completed, the next project would also need approval from the city before it could move forward. In Portland, the Historic Preservation Board would need to issue a certificate of appropriateness; 57 units wouldn't happen automatically.
- xi. **Q:** Why not just apply for a contract zone?
A: We have been guided by city staff to apply for an R7 zone change.
- xii. **Q:** Pandora LaCasse – how many people per unit do you envision in these units?
A: No more than 2 people per bedroom.
- xiii. **Q:** Pandora LaCasse – I looked at the CHOM website and it seems that this project is larger than most of the projects that you have developed.
A: CHOM and our management company have a lot of experience. We are very proud of our smaller supportive housing properties that are featured on our website. We have developed other workforce housing properties throughout the state (In addition to 66-68 High St - 3 are complete, 2 are under development). Though CHOM isn't large enough to manage this many units in house, PMI is a national management company with a lot of experience. CHOM will continue to work closely with PMI after initial lease-up.
- xiv. **Q:** Hilary Bassette – our group would like to meet with your team.
A: Great!
- xv. **Q:** Anne Pringle – will you allow people to stay in their unit if their income goes up or will they be forced to move out because they will be considered over income? Will you take Section 8 vouchers? Can you change the use of this housing from affordable to supportive housing in the future? What will happen if the project doesn't work?
A: There are many people involved in reviewing the feasibility of this project. Rental income will support operations. The commitment for affordability is long-term (90 years) and there won't be a change of use. Residents are recertified by management annually and in most cases can stay in the property as their income increases. Section 8 vouchers will be accepted.
- xvi. **Q:** Anne Pringle – the vacancy rates that you presented seem low. Can we see the survey showing the vacancy rates?
A: We rely on reports that we have been given. We would be happy to show you the data we received.
- xvii. **Q:** Joseph Thompson – higher density projects put a strain on social services, police, fire, etc.
A: This project will pay city taxes. Police and fire departments will weigh in during the planning process.

xviii. **Q:** Sheryl McGinnis – there are not enough people in attendance. The main concern for the residents of Stratton Place is we don't want to lose green space.

A: This is definitely not the last meeting. There will be numerous opportunities for public comment. I encourage you to think creatively about what the community wants for green space so we can approach the city with potential ideas.

xix. **Q:** Nate Huckel-Bauer – where will the kids living at the property go to daycare? Will there be green space, and will it be open to the public?

A: We are also thinking about where the kids will play and want the property to be integrated within the community. We are investigating the possibility of a daycare within the building? We want to work with neighbors to create green space, but have to work within the constraints placed upon us.

xx. **Q:** Ellen Murphy – since there will only be minimal parking at the property, will there be a bus stop shelter and other transit amenities added near the property?

xxi. **Q:** Robert Theberge – has there been a preliminary study done on infrastructure to see if the city can handle the additional units? Note: Elm trees planted below CMP lines in the 4 foot space between the sidewalk and street is not a good idea.


Meeting was adjourned at 8:25pm.

Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

I also certify that on (date at least seven days prior to the neighborhood meeting), invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development or within 1000 feet of a proposed development in an industrial zone and the residents on the "interested parties" list.

Signed,



8/30/10 (date)

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes



Board Members

Joanne Campbell
Sr. Vice President
Camden National Corporation
Board President

Randy Blake
President
R Blake Real Estate Svcs, LLC
Board Treasurer

Aaron Shapiro
Community Development Director
Cumberland County
Board Secretary

Robert Baldacci
President
Baldacci Group

Peter Brown
Program Director
Strive University

dee Clarke
Advocate
Homeless Voices for Justice

Chris Danse
Contractor, Builder,
and Neighborhood Activist

Kendra Danse
Clinical Director
MaineStay

Gunnar Hubbard
President
Fore Solutions

David Lakari
President
Renewal Housing Associates, LLC

Jan McCormick
Vice President of Asset Mgmt.
Northern New England Housing
Investment Fund

Christine Ndayishimiye
Unit Helper, NICU
Maine Medical Center

Luc Nya
MaineCare Benefits Coordinator
for Children Under 21
Maine DHHS

Randy Poulton
Vice President
Nickerson and O'Day, Inc.

Staff Contacts

Cullen Ryan
Executive Director

Erin Cooperrider
Development Director

Todd Alexander
Development Manager

Brenda Perry
Development Officer

Jade Doyle
Development Coordinator

Jim Gwilym
Accountant/CFO

Kyra Walker
Asset Management Director

Lee Andrews
Asset Manager

Samira Bouzrara
Operations Assistant

August 10, 2010

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a redevelopment project at 66-68 High Street. Community Housing of Maine is planning to convert the former Children's Hospital building and site of the historic Mussey Mansion into 35 units of workforce housing.

Our vision for 66-68 High Street is to create a high-quality housing resource for the City of Portland that incorporates the best features of workforce housing, historic preservation, green design and smart growth principals. This will be an opportunity for you to participate in the design process and share your ideas with the development team.

Meeting Location: 66 – 68 High Street
Meeting Date: Thursday, August 19, 2010
Meeting Time: 6:30 p.m. – 8 p.m.

If you have any questions, please call me at 879-0347.

Sincerely,

Todd Alexander
Development Manager

Note:

Under Section 14-32© of the City Code of Ordinances, an application for a major development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Department of Planning and Development, Planning Division 4th Floor, 389 Congress Street, Portland, ME 04101 or by email to bab@portlandmaine.gov.



LEARNINGWORKS

Serving at-risk youth, immigrants and low-income families

September 15, 2010

Planning Board, City of Portland
Portland City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

Dear Planning Board Members,

I am writing in support of Community Housing of Maine's application for a zone map amendment for 66/68 High Street.

Learning Works owns or manages 7 multifamily housing properties in the West End, two of which--42 Gray Street and 140 Park Street--are located in close proximity to CHOM's proposal. In addition, our corporate offices are in the West End, at 181 Brackett Street.

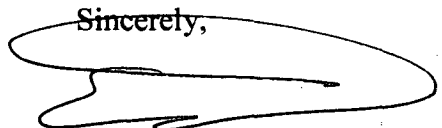
Having personally reviewed the plans, we are supportive of CHOM's proposed development and the zone map amendment for a number of reasons. First, we welcome the addition of more affordable housing on the peninsula. Our organization sees firsthand the severe shortage of high quality, professionally managed affordable rental housing in Portland. Despite numerous developments over recent years, this shortage still negatively impacts the city at large.

Second, we are pleased with CHOM's design plans to rehabilitate an underutilized historic property and redevelop an urban infill site. We believe that this plan will benefit its future low income residents by its in-town location, close to community facilities, employment opportunities, public transportation and services.

Finally, we are supportive of the Planning Board and City Council utilizing the R7 overlay zone on this development. The R7 is a progressive zoning tool designed to encourage in town multifamily housing developments which address Portland's housing shortage. This tool reduces the financial risk for non-profits, in an area that is extremely complex and risky. We think CHOM's proposal for 66/68 High Street is a suitable candidate for an R7 overlay zone.

Please feel free to contact me personally, if you have any question.

Sincerely,



Ethan Strimling
Chief Executive Officer

Shukria Wiar - 68 High St.

From: "Judith Kelly" <jkelly1@maine.rr.com>
To: <shukriaw@portlandmaine.gov>
Date: 10/7/2010 4:25 PM
Subject: 68 High St.

Portland Planning Division
City Hall, 4th Floor
389 Congress St.
Portland, Maine 04101

Shukria Wiar, Planner

I am opposed to the proposed development at 68 High St. on a number of levels:

I believe it will have a negative impact the because of the density of people. 35 to 79 new people will put an undue strain on the infrastructure (roads and parking) of the neighborhood.

It will present a danger to both new and existing residents of the neighborhood due to the addition of a parking structure on a somewhat narrow, high traffic street.

The zoning change will open the door to future development of even more radical nature.

Respectfully submitted,

Judith Kelly, Owner
97 Danforth St.
Portland, Maine 04101
207-883-3335

PREBLE STREET HOMELESS VOICES FOR JUSTICE

5 PORTLAND STREET ■ PO BOX 1459 ■ PORTLAND, MAINE 04104
207-775-0026 ext. 160 HVJ@preblestreet.org

September 28, 2010

2010 ADVOCATES:

DEE CLARKE

MARCIA FRANK

JEANNA ROATH

ROSE STROUT

PROJECT STAFF:

DONNA YELLEN
DIRECTOR OF ADVOCACY

AMY REGAN
COMMUNITY ORGANIZER

To the City of Portland Planning Board,

Homeless Voices for Justice is a group of community members who have all experienced homelessness, who know first hand what it's like to live without a home. Community Housing of Maine (CHOM) provides safe, decent housing in many communities across the state, and we are in support of their proposed housing project before you today. CHOM is a valuable partner in developing and operating a range of housing, and Portland would be lucky for this development to be a part of our community.

We want to be sure that "workforce" housing is not confused with housing that would be affordable to those with the lowest income in our community. These rents would not be affordable for many people staying in shelters. However, we recognize the need for high-quality workforce housing in Portland, and look forward to the further development of housing that is affordable to all.

We also believe that the healthiest communities are those that are well integrated with people from all walks of life. In this development, CHOM has highlighted the importance of this, given that it will serve people of low to moderate income levels, and be located in close proximity to the public and private services that the residents will utilize.

Homeless Voices for Justice encourages the Planning Board to approve the proposed development at 68 High Street. Thank you.

Sincerely,
Homeless Voices for Justice

Shukria Wiar - Proposed Rezoning of 66-68 High Street

From: Charles Hall <charless.hall@gmail.com>
To: <shukriaw@portlandmaine.gov>
Date: 10/25/2010 10:27 PM
Subject: Proposed Rezoning of 66-68 High Street

Oct. 25, 2010

To the Members of the Portland City Council,

I am writing to express my objection to the proposed zoning change from R6 to R7 for the property at 66-68 High Street. I am the owner of an apartment building at 7 Stetson Court and am therefore especially interested in this proposal.

In its new incarnation, 66-68 High Street will contain a significant number of new housing units. The large number of new residents at this address will also clearly be associated with an increased number of cars in the neighborhood. In the current proposal, not all apartment units at this address will be allocated a parking space, which means that every day and every night there will be an increased demand for the very limited number of public parking spaces currently available in this part of town.

The parking situation is already acute, and the proposed changes to 66-68 High Street will make the problem worse. In order to receive permission for the zoning change, the building developers should be required to provide more on-site parking for the building residents, at least one parking unit per apartment unit. Let's not create more congestion and frustration in this very busy part of town.

Thank you for your consideration.
Charles S. Hall
47 Cloyster Road
South Portland, Maine 04106

ANNE B. PRINGLE

44 Neal Street Portland, ME 04102-3527 207/774-0437
oldmayor@maine.rr.com

October 15, 2010

Portland City Council
389 Congress Street
Portland, ME 04101

Re: Proposed R-7 for 66-68 High Street

Dear Mayor Mavodones and Members of the Council:

As you may know, I have a long history of involvement with affordable housing, having served (among many other roles) as Treasurer of the Maine State Housing Authority, on the Fannie Mae National Advisory Committee (when they had rational lending standards!), as chair the first Affordable Housing Advisory Council for the Federal Home Loan Bank of Boston, and as chair of the bi-partisan Affordable Housing Task Force for Governor McKernan in 1988.

Interestingly, the latter Task Force was the first to point out the emerging problem of those unable to afford to live in the cities and towns which they served as teachers, municipal employees, or service workers – we raised the concern before the term “workforce housing” was even coined. So, I am a longstanding affordable housing advocate and remain so.

That said, I am concerned with application of the process to allow rezoning of certain properties in the R-6 to a substantially more dense R-7. Such a conversion is before you in connection with 66-68 High Street, which abuts a property owned by my son.

I and other immediate abutters have met several times with representatives of CHOM and have been very impressed with their professionalism and willingness to discuss our concerns with the significant potential increase in density (from 20 units to a potential 54). While they assure us (and you) that they plan only 35 units (still a significant increase in density), once a zone change is approved, a successor developer could come in with the even more dense 54 unit project. This is of great concern.

As you may recall, two other changes from R-6 to R-7 have already been approved by the Council, one directly across the Street (Peter Bass on property sold to him by the City) and one about 1 1/2 blocks down Danforth Street (workforce housing developed by Nathan Szanton).

My concern is certainly not with workforce housing but with several policy and process issues:

1) It appears that each proposed rezoning from R-6 to R-7 is considered on its merits according to rather general standards set forth in the ordinance, but without a full consideration of the cumulative impact of such rezoning on the underlying original context, which in this case, is significantly less dense in terms of lot size per unit than the two approved and one proposed R-7 rezonings.

2) This can lead to an unintended change in the neighborhood context, on which owners relied when they purchased their property. Does this potentially widespread cumulative rezoning in the R-6 create destabilizing anxiety among and economic impact on people who have already invested in the R-6 neighborhoods, relying on existing zoning? Would this same zoning construct be allowed in other areas of the city?

3) I understand that some councilors have concern about the volume of contact zone applications and approvals, which I, too, have been concerned about for a long time. But is this new process, that allows this kind of cumulative rezoning of the already most dense residential zone in the City, a better process? I am afraid it is not and will lead to unintended consequences on existing neighborhoods, which is certainly not the Council's intent.

So that said, I and abutters have encouraged CHOM to pursue instead a contract zone for the lesser density that they plan (35 units), with provisions that will respect and protect the existing neighborhood context. They resist this because they believe that that Council prefers the wholesale rezoning. A contract zone may take a bit more time, but I believe that, with some collaborative focus on drafting, we could produce a contract zone acceptable all parties within a relatively short time frame.

As you consider this suggestion, please also note that at your November 1 meeting, you will also be asked to consider another text change to the R-6, to reduce the minimum lot width, again to encourage more dense development, which I do not oppose, just raise the issue of the cumulative effect of rezoning and such text changes on the already very dense R-6. Is this really what the Council consciously wants to do?

Very truly yours,

Anne B. Pringle



LEARNINGWORKS

Serving at-risk youth, immigrants and low-income families

September 15, 2010

Planning Board, City of Portland
Portland City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

Dear Planning Board Members,

I am writing in support of Community Housing of Maine's application for a zone map amendment for 66/68 High Street.

Learning Works owns or manages 7 multifamily housing properties in the West End, two of which--42 Gray Street and 140 Park Street--are located in close proximity to CHOM's proposal. In addition, our corporate offices are in the West End, at 181 Brackett Street.

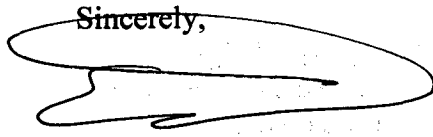
Having personally reviewed the plans, we are supportive of CHOM's proposed development and the zone map amendment for a number of reasons. First, we welcome the addition of more affordable housing on the peninsula. Our organization sees firsthand the severe shortage of high quality, professionally managed affordable rental housing in Portland. Despite numerous developments over recent years, this shortage still negatively impacts the city at large.

Second, we are pleased with CHOM's design plans to rehabilitate an underutilized historic property and redevelop an urban infill site. We believe that this plan will benefit its future low income residents by its in-town location, close to community facilities, employment opportunities, public transportation and services.

Finally, we are supportive of the Planning Board and City Council utilizing the R7 overlay zone on this development. The R7 is a progressive zoning tool designed to encourage in town multifamily housing developments which address Portland's housing shortage. This tool reduces the financial risk for non-profits, in an area that is extremely complex and risky. We think CHOM's proposal for 66/68 High Street is a suitable candidate for an R7 overlay zone.

Please feel free to contact me personally, if you have any question.

Sincerely,



Ethan Strimling
Chief Executive Officer



20 September 2010

Planning Board, City of Portland
Portland City Hall, 4th Floor
389 Congress Street
Portland, ME 04101

RE: CHOM Affordable Housing Development at 66-68 High St

Dear Members of the Planning Board & Staff,

I have owned a 16,000 square-foot, 19th-century office building located at 2-18 Danforth St for nearly twenty-five years and have operated my business here since 1986. Wright-Ryan Construction, Inc. employs 75 residents of the Greater Portland area. I have seen many changes in the neighborhood during my tenure here. When we first occupied our building we were one of only 3 or 4 businesses on the entire block of Danforth between York and High Streets. There are now dozens. Most of the housing in the neighborhood was run down. Now the street has an attractive mix of renovated old and tastefully designed new housing, including 53 Danforth, a 43-unit affordable housing project which we built last year. It has become a vibrant mixed use area. Having 53 Danforth in the neighborhood has added substantially to that mix, providing a substantial, attractive building that brings life to the area after the close of business.

I have examined the plans for CHOM's proposed development at 66-68 High St and am confident that their project will bring the same benefits to the neighborhood that 53 Danforth has brought. Downtown Portland remains in need of workforce housing. In addition, the design and construction of this project will bring badly needed jobs to a hard-hit sector of the economy at a critical time.

We strongly support the use of the R7 zone map amendment process for this project and urge you to support the continued thoughtful redevelopment of this important Portland neighborhood.

Sincerely,

John W. Ryan
President, Wright-Ryan Construction, Inc.
Owner, 2-18 Danforth St.

Building Maine's Great Spaces

Wright-Ryan Construction, Inc. • 10 Danforth Street • Portland, Maine 04101
Phone (207)773-3625 • Fax (207)773-5173 • www.wright-ryan.com

Shukria Wiar - Community Housing of Maine project at Danforth and High

From: Nathan Szanton <n.szanton@szantoncompany.com>
To: Shukria Wiar <SHUKRIA.W@portlandmaine.gov>
Date: 9/19/2010 8:24 PM
Subject: Community Housing of Maine project at Danforth and High

Dear Shukria,

As you know, my partner Bobby Monks and I own the 43-unit, mixed-income apartment building at 53 Danforth Street, about five properties below the site of Community Housing of Maine (CHOM)'s proposed project at the corner of Danforth and High Streets (66-68 High Street).

I have met with Todd Alexander of CHOM to review the development plans for this project, and learned quite a bit about who it is proposing to serve; its physical design; and how it would be managed.

I am unable to attend the upcoming Planning Board meetings concerning this project, but I wanted to make Planning staff and the Planning Board members aware that I am in full support of this project and the zone change to R7 which the developer is seeking. We had so many apartments in the West End convert to condominiums during the 1990's and early 2000's that we are in need of a considerable amount of new affordable housing in the West End just recover from that loss. I think CHOM's design is sensitive to the site and what went before on that site, and would make a very nice addition to the neighborhood.

Thank you to you and the Board for considering my input.

Sincerely,
Nathan Szanton

Nathan S. Szanton
Principal
The Szanton Company
One City Center, 4th Floor
Portland, ME 04101

tel: 207/871-9811
fax: 207/775-4325
n.szanton@szantoncompany.com
www.szantoncompany.com

Shukria Wiar - Support for CHOM's proposal - High and Danforth

From: "josh@northlandus.com" <josh@northlandus.com>
To: "shukriaw@portlandmaine.gov" <shukriaw@portlandmaine.gov>, Kate <kate@al...>
Date: 8/30/2010 9:30 AM
Subject: Support for CHOM's proposal - High and Danforth

To the members of the Portland Planning Staff,

We are writing this letter in support of Community Housing of Maine's zone map amendment application for their project at 66/68 High Street.

We recently met with Todd Alexander to discuss CHOM's development plans for this property. We currently are renters in downtown Portland and within walking distance of Danforth and High streets. We often run by the former USM site and think about it future reuse. Josh is in real estate development, and had looked a this project, and saw no feasible (i.e. Financeable) market rate housing or commercial development even taking into account the financial benefit of the state and federal historic tax credits.

During our discussion with Todd, we were pleased to see that CHOM is proposing a modest, infill housing project. We think this will benefit the neighborhood in a number of ways; it will provided much-need workforce housing on the peninsula, it will help fill in an important gap between the downtown and the west end, it will restore an underutilized historic property on High Street and it will return a tax-exempt property to the city's tax rolls. We also like that the project encourages in-town living and incorporates green design standards.

We're particularly happy to see that CHOM is proposing a project that is of modest size and in keeping with the historic nature of this neighborhood. The corner of Danforth and High is an important transition point from downtown into the west end. Whatever is built here should reflect that transition from a mixed use business area into a more residential neighborhood. CHOM's proposal appears to be mindful of that fact.

We understand that the R7 zone change is an important first step in allowing this project to go forward. We also understand that this zone overlay was created to encourage exactly these types of housing developments. We think that CHOM's proposal for 66/68 High Street is a responsible application of the R7 zone and we fully support CHOM's application.

Sincerely,
Josh Benthien and Kate Dunleavy
residents of Baxter Place (apt 403)

Josh Benthien
Partner
Northland Enterprises
o: 207.400.3454
c: 207.321.9741

Shukria Wiar - Zoning Map Amendment from R-6 to R7 at 66-68 High Street

From: "Karen Dowell" <karen.dowell@maine.edu>
To: <Shukriaw@portlandmaine.gov>
Date: 8/8/2010 9:18 PM
Subject: Zoning Map Amendment from R-6 to R7 at 66-68 High Street

Dear Ms. Wiar:

I am writing to urge the planning committee to reject the zoning map amendment requested by Community Housing of Maine (CHOM). I own a condominium in the vicinity of this parcel and believe that this proposed zoning change will directly affect my quality of life as a Portland resident and potentially erode the value of my property. Although I was unable to attend the workshop held on July 27, I have reviewed the planning documents and memorandums circulated by your office and I am very concerned about this proposal for several reasons.

As you know, the purpose of this request is to allow CHOM to increase the allowed density and lot coverage, and to decrease the number of required parking spaces. The location at 66-68 High Street is in an already densely populated, high traffic area. Increasing the density of residents while decreasing the number of parking spaces will cause further congestion, and make parking on the street virtually impossible for existing residents. The potential increase in on-street parking demand is not adequately addressed in the CHOM proposal. (Just because you want people to take public transportation doesn't mean they will.) In addition, the one-way traffic on High Street is heavy and careless of pedestrians. It is not safe for young children now. Changing the zoning on this corner of High and Danforth will make it even less so. If CHOM's objective is to create affordable family housing, this is not the best in-city location for their development.

The Sustainable Housing document cited heavily in the proposal was adopted in 2002, long before the real estate boom and bust of the last decade. Over the past several years, many houses and office spaces were converted to condos and high-rise developments were erected, resulting in a glut of housing in the downtown area. Now, you can't walk the streets of Portland without seeing numerous for sale or for rent signs. Should we not, as a city, focus on making existing housing affordable before creating more housing developments? The closest grocery store to this proposed development is not within walking distance. The shopping in this area is targeted more toward tourists, than residential families. In addition, it is questionable as to whether families interested in this type of affordable housing could afford the daycare facilities in this area. There are other locations near the downtown area, such as on Marginal Way, that would be better suited for R7 zoned housing.

This neighborhood, in general, is wonderfully diverse, but has a relatively high crime and violence rate. It is not safe to walk these streets alone at night. Adding population density could contribute to this problem unless existing safety issues are addressed first. Another very practical concern is that during heavy rain storms, waste water backs up the drains and floods some buildings in this neighborhood now. If the existing water and sewage system cannot handle demands of current residents, how will it respond to an additional 35-54 families squeezed into this one small area?

The former children's hospital at 66-68 High Street has architectural integrity and charm. It is set back on a beautiful grass lawn that is enjoyed by many residents of this neighborhood. When the University of Southern Maine (USM) proposed to turn this green into a parking lot a few years ago, residents of District 2 rallied to convince USM to change their plans. This building and its grounds mark the transition from a scruffy commercial area to an eclectic side of the West End. The green with its distinctive iron fence is an integral part of our

neighborhood. Portland needs to invest in "undeveloping" as well as developing to preserve these public and private greens. They add character and beauty to our city. The public green across from the Holiday Inn on Spring Street is a perfect example of using green space in city planning.

One of the reasons I love Portland is that it has preserved so many of its historic buildings and neighborhoods. It is a very livable city with considerable diversity. I am not against affordable housing, but I strongly object to changing zoning to increase population density in an already established neighborhood such as ours. If CHOM could present a proposal to renovate the existing building without additions and with sufficient parking spaces to support the number of housing units, the residents of this neighborhood would be far more supportive.

Please don't allow CHOM to choke the life from our neighborhood with more "affordable" housing this city doesn't need!

Thank you for your attention to this matter.

Sincerely,

Karen Dowell

Karen Dowell
Functional Genomics predoctoral graduate student
University of Maine GSBS at The Jackson Laboratory
Tel: 207.288.6674 Cel: 207.460.2361
karen.dowell@maine.edu or karen.dowell@jax.org

Peter and Patricia Brown
124 A Pleasant St.
Portland, ME 04101
773-8803
pdmaloneybrown@hotmail.com

August 5, 2010

Planning & Urban Development Department
Development Review Program
City Hall of Portland, Maine
389 Congress St. Room 308
Portland, Maine 04101

RECEIVED

AUG 10 2010

City of Portland
Planning Division

Dear Ms. St. Louis-Little,

I am a resident of The Town Farm Condominiums at 124 Pleasant St. Portland (04101). I am writing to urge you and other planners of the proposed rezoning 66-68 High St. (the former USM building) to keep this property as an R6 zone. Since your original report findings in 2002 on "Sustaining Portland's Future," many of the original initiatives have changed. It would be prudent to sustain the quality of life for the present residents of this neighborhood as we too are a part of "Portland's future".

Since 2002, at the height of the real estate boom many new condos and other multi-family units have been incorporated into this area. Indeed many houses and office spaces were converted to condos and rental property. Why not make some of the vacant rental and condo spaces more affordable before adding more housing?

Of particular concern is the proposal to have 35 units (with the *preposterous* option to increase to 54 units) with only 15 parking spaces. Many of the inhabitants of the 35 units will have at least one automobile, with the possibility of two. Perhaps you are unaware of how difficult it can be for those of us allotted one parking space for a condo or rental unit when we are a two-car family. Visiting family and friends already find it difficult to find parking. Parking can be next to impossible in our neighborhood already. There is a distinct possibility that there could be as many as 40 or more cars added in the neighborhood seeking daily parking. The area is a high traffic and highly congested neighborhood now. How can you put safety and quality of life for present residents in jeopardy? Will you decrease our tax base due to diminished quality of life? The challenge of parking in the designated Yellow Zone in winter argues that this increase in density cannot be supported.

This neighborhood has a history of waste water back up in drains flooding some of the buildings. Will the city update all drains and conduits? Will the city pay residents for any flooding damage as a result of insufficient infrastructure? Certainly the water needs and sewage needs are not meeting demands of current residents. Again, it is preposterous to think that the addition of 35-54 families will not overwhelm the system. I find it negligent on the part of planners who may not have considered this impact.

The one-way traffic pattern on High St. is high volume. Traffic proceeds at a high rate of speed. It is a dangerous traffic pattern which can ill afford more traffic, particularly at the High St. and Danforth St. intersection.

Our neighborhood is diverse and highly populated. Along with high density urban population is a burgeoning crime and violence rate. Please do not add more to the population density which would create more safety issues. If you want to keep this neighborhood as a livable area in the Arts District and gateway to the West End, safety of current residents should be protected.

Your report extols proximity of grocery stores for residents. This is patently inaccurate. The bus route does not transport residents to a Shaws, Hannaford or Whole Foods. The walking distance stores of the Old Port are often upscale and cater to tourists, not to permanent residents.

Part of the vibrancy of the Arts District, especially for working artists is on the Art Walk "First Fridays." The neighborhood needs parking for participants, safety and a sense of welcome. Loosing a beautiful and much fought for green space in the Arts District will not enhance commerce of the arts. This green space is also an irreplaceable oasis of beauty for the residents of our neighborhood. The Historic Preservation Program responded to our petition to keep this green space when The University of Southern Maine wanted to turn the space into a parking lot. Precedent has been set by this petition. Give residents the beauty of this green space we fought for! Keep this as a public green area!

Increased population density in our neighborhood will not enhance quality of life for anyone. Keep the current R-6 zoning in tact. Over-crowding of our neighborhoods does nothing to create a better future for Portland.

Sincerely yours,

A handwritten signature in cursive script that reads "Peter and Patricia Brown". The signature is written in dark ink and is positioned above a horizontal line.

Peter and Patricia Brown

cc:Nicholas Mavodones, Jr., Mayor, City of Portland; David A. Marshall, City Council Representative, District 2; David Fernald, Interim Director, Victoria Mansion; Catherine Morrill Day Nursery; Maine Preservation, 500 Congress St. Portland

6 Stratton Place
Portland Maine 04101

August 15, 2010

Dept of Planning and Development
389 Congress St
Portland, Maine 04101

While I am not
opposed to high quality
housing development, I
am opposed to the
diminution of green spaces
in the neighborhood of
66-68 High Street.

Since I am unable
to attend the meeting
regarding this issue
(on Aug 19, 2010) I would
know that I oppose
the development on this
basis.

Yours truly
Dennis R. H.



PORTLAND MAINE

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

Public Services Department
Michael J. Bobinsky, Director

24 August 2010

Mr. John D. Mitchell,
Mitchell & Associates,
70 Center Street,
Portland, Maine 04101

RE: The Capacity to Handle the Anticipated Wastewater Flows, from the Proposed Apartment Building, at 66-68 High Street, Portland, Maine.

Dear Mr. Mitchell:

The existing twelve-inch diameter asbestos cement sanitary sewer pipe, in Danforth Street, has adequate capacity to transport, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to treat the anticipated net increase in wastewater flows of **4,477 G.P.D.**, from the proposed apartment building.

Anticipated Wastewater Flows

The Proposed Apartment Housing Project:	
53 Proposed Bedrooms @ 90 gpd/Bedroom	= 4,770 gpd
Less Existing Sanitary Flows, from 66 High Street	= <u>293 gpd</u>
Total Net Increase in Wastewater Flows for this Project	= 4,477 GPD

If The City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank J. Brancely, B.A., M.A.
Senior Engineering Technician

FJB

CC: Penny Littell, Director, Department of Planning, and Urban Development, City of Portland
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland
Shukria Wiar, Planner, Planning Division, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
John Emerson, Wastewater Coordinator, City of Portland
Jane Ward, Administrative Assistant, City of Portland

(Ord. No. 164-06/07, 4-4-07)

DIVISION 20. OFF-STREET PARKING

Sec. 14-331. Defined.

Off-street parking, either by means of open-air spaces or by garage spaces which meet the standards set forth in the City of Portland Technical and Design Standards and Guidelines, as hereafter amended, in addition to being a permitted use in certain zones, shall be considered as an accessory use when required or provided to serve conforming uses in any zone.

(Code 1968, § 602.14.A; Ord. No. 272-77, 5-16-77; Ord. No. 389-89, § 1, 4-3-89)

Cross reference(s)—Definitions and rules of construction generally, § 1-2.

Sec. 14-332. Uses requiring off-street parking.

Except as provided in Section 14-332.1, 14-332.2 (exceptions) and 14-335 (fee in-lieu of parking) of this division, for the uses listed below the following minimum off-street parking requirements shall be provided and maintained in the case of new construction, alterations which increase the number of units, and changes of use:

(a) *Residential structures:*

1. For new construction, two, (2) parking spaces for each dwelling unit, plus one (1) additional parking space for every six (6) units or fraction thereof.
2. For alterations or changes of use in existing structures, which create new or additional dwelling units in such structures, and for accessory units pursuant to §§14-68,78,88, one (1) additional parking spaces for each such unit. Existing parking spaces shall not be used to meet the parking requirements of this paragraph, unless the existing parking spaces exceed one (1) space for each dwelling unit.
3. For residential development on the peninsula (area defined as southerly of I-295).

**ZONING ADMINISTRATOR
MARGE SCHMUCKAL**

June 24, 2010

This application to apply for an R-7 Overlay Zone on the current R-6 Zone (also within a Historic District) is the first step in the development of the lot. Ultimately the applicant Community Housing of Maine wants to change the use of the existing building which is now used for USM offices and some class rooms. The new use for the existing building is proposed to be for residential dwelling units. An addition to the existing building will also be part of the future proposal. The total number of dwelling units is to be 35.

The first step forward on this project is to get an R-7 Overlay Zone on the property. The zoning change is needed for the density needs of the project and I believe for lot coverage requirements.

After gaining the Overlay Zone, the applicant will need to apply for a subdivision and site plan review.

**City of Portland
Development Review Application
Planning Division Transmittal form**

Application Number: 10-79900015 **Application Date:**
Project Name: HIGH ST 66-68
Address: 66 High St **CBL:** 044 - F-001-001
Project Description: High Street; 66-68 Community Housing Of Maine
Zoning: R-6

Other Reviews Required:
Review Type: MINOR SITE PLAN

Applicant:
 Community Housing of Maine
 309 Cumberland Ave Ste 203
 Portland
 Portland Me 04101

Applicant:
 Erin Cooperrider
 309 Cumberland Ave Ste 203
 Portland
 Portland Me 04101

Distribution List:

<input type="checkbox"/> Planner	Shukria Wiar	<input type="checkbox"/> Parking	John Peverada
<input type="checkbox"/> Zoning Administrator	Marge Schmuckal	<input type="checkbox"/> Design Review	Alex Jaegerman
<input type="checkbox"/> Traffic	Tom Errico	<input type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input type="checkbox"/> Stormwater	Dan Goyette	<input type="checkbox"/> Sanitary Sewer	John Emerson
<input type="checkbox"/> Fire Department	Keith Gautreau	<input type="checkbox"/> Inspections	Tammy Munson
<input type="checkbox"/> City Arborist	Jeff Tarling	<input type="checkbox"/> Historic Preservation	Deb Andrews
<input type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> Outside Agency	
		<input type="checkbox"/> DRC Coordinator	Phil DiPierro

Preliminary Comments needed by:

Final Comments needed by:

Shukria Wiar - High St CHOM

From: "Sashie Misner" <smisner@mitchellassociates.biz>
To: <SHUKRIAW@portlandmaine.gov>
Date: 7/29/2010 11:57 AM
Subject: High St CHOM

Hi Shukria,

I am working with Community Housing of ME on the High St project presented at the last workshop. In regards to the R-7 Overlay, does the city have a set of criteria that we need to meet to demonstrate that our project qualifies as an appropriate candidate for R-7 Overlay? Do you have an example of a previous R-7 Overlay project submission that we could use as a standard to assure that our application is complete.

Can we schedule now for a public hearing?

Thanks,
Sashie

Sashie Misner
Mitchell & Associates
70 Center Street
Portland, Maine 04101
Phone: 207.774.4427
Fax: 207.874.2460

From: Todd Alexander <todd@chomhousing.org>
To: Shukria Wiar <SHUKRIAW@portlandmaine.gov>, Erin Cooperrider <erin@cooper...>
Date: 9/8/2010 6:26 PM
Subject: RE: 68 High Street- CHOM

Shukria -- Unfortunately, this delay in obtaining a final approval for R7 zone map amendment jeopardizes the feasibility of our project due to timing benchmarks set forth in our purchase and sale agreement with the seller. I'd like to propose three possible alternatives to the schedule outlined below;

1. We forego the second workshop meeting and use the meeting on the 21st as our required public hearing. This is our most desired alternative and the one that we are requesting staff to pursue.
2. If necessary and possible, we would be willing to hold both a work session and public hearing at the meeting on the 21st.
3. We hold the second workshop on the 21st as proposed and submit the necessary public notice to allow us to remain on the agenda for a public hearing at the PB meeting on the 28th.

As you saw in the submittal we put together for the PB, we are very comfortable with the legal/technical case that this project is an appropriate use of the R7 overlay and consistent with the city's comprehensive plan. We have discussed our plans with a number of councilors and there has been unanimous support from the people we spoke with that this project should be approved under an R7 overlay.

In addition to the public meeting, we have had follow up meetings with numerous property owners in the neighborhood. In many of those meetings, the feedback has been overwhelmingly positive. There, however, are still some abutters who oppose the project. Their concerns are consistent with the comments we heard at the first work session and fall into two categories; 1) issues--such as parking or maintaining green space--that are not eligible for review until the site plan/subdivision phase or 2) concerns about 'low income' people moving into the neighborhood, which has no standing during either the R7 overlay eligibility review or site plan/subdivision process.

I will call you first thing in the morning to discuss the alternatives proposed above.

Best Regards,
Todd

Todd M. Alexander
Community Housing of Maine, Inc
207 749-7257 | todd@chomhousing.org

From: Shukria Wiar [SHUKRIAW@portlandmaine.gov]
Sent: Wednesday, September 08, 2010 4:04 PM
To: Erin Cooperrider; John Mitchell; smisner@mitchellassociates.biz
Cc: Todd Alexander
Subject: Re: 68 High Street- CHOM

Erin:

The notices for the workshop hearing on September 21st will be going out tomorrow morning.

Shukria

>>> Erin Cooperrider <erin@cooperrider.org> 9/8/2010 3:53 PM >>>

Shukria:

Have the new notices already gone out?

--

Erin Cooperrider
Development Director
Community Housing of Maine

207.882.8349 / phone
207.720.0181 / cell
815.366.8136 / fax

From: Shukria Wiar <SHUKRIAW@portlandmaine.gov>
Date: Wed, 08 Sep 2010 15:40:19 -0400
To: Erin Cooperrider <erin@cooperrider.org>, John Mitchell <jmitchell@mitchellassociates.biz>, <smisner@mitchellassociates.biz>
Subject: 68 High Street- CHOM

Hello:

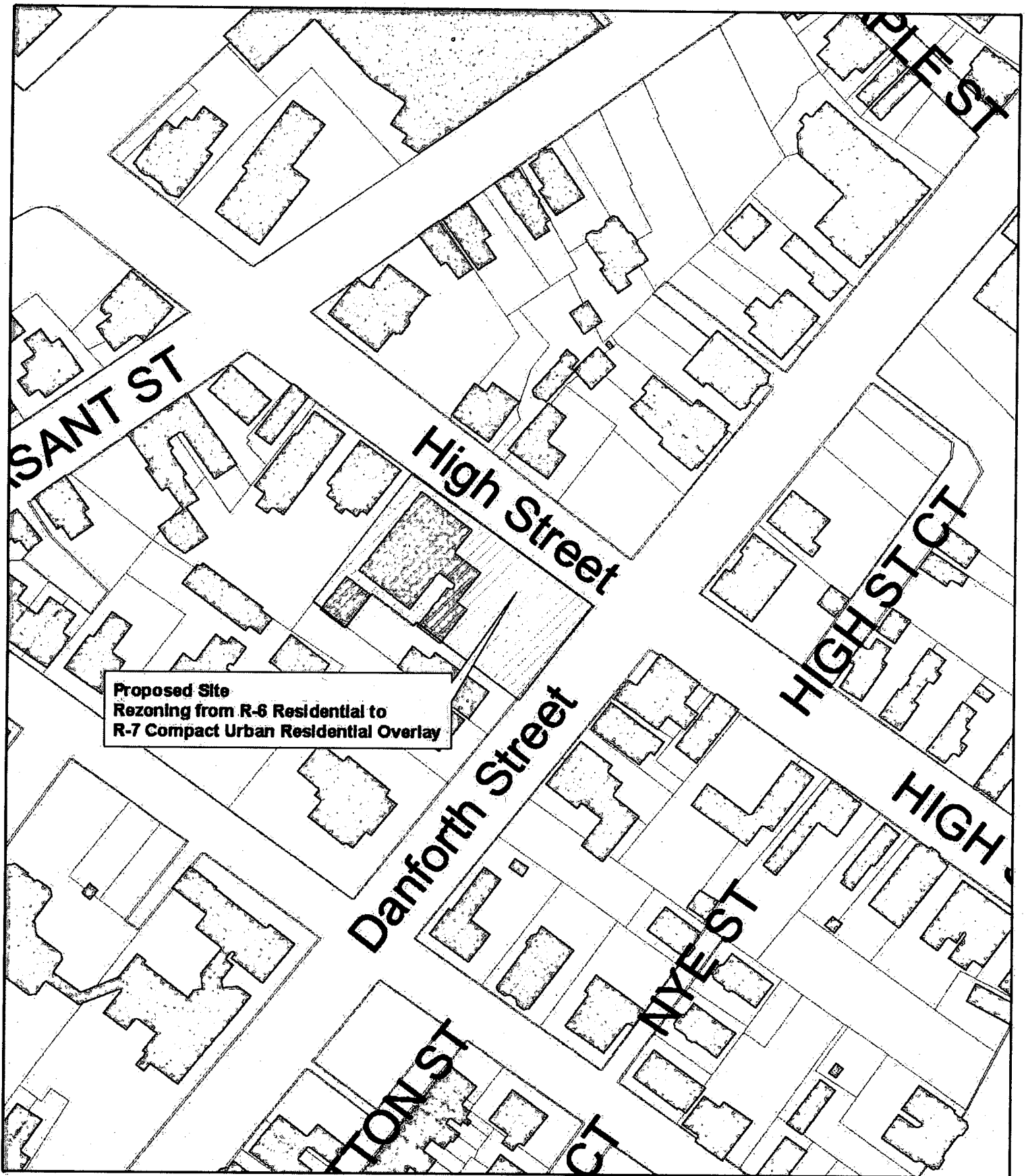
We found out today that the mailing company did not send any of the public notices that we had delivered to them last Friday for the September 14th meeting. Unfortunately, it is too late for us to resend the notices for the 14th, so the meeting is being rescheduled to September 21st. We have confirmed the date with the Planning Board members and there will be a quorum.

The Planning Division staff apologizes for this short notice. This project will now be tentatively on for October 12th Planning Board meeting. If you have any questions, please do not hesitate to contact me or Barbara Barhydt (874-8699).

Thank you.

Shukria

Shukria Wiar, Planner
City of Portland, Division of Planning
389 Congress Street, Portland, ME 04101
Ph: 207-756-8083 Fax: 207-756-8258



Proposed Site
Rezoning from R-6 Residential to
R-7 Compact Urban Residential Overlay

**66-68 High Street
Proposed Rezone from R-6 to Residential R-7**