

Comments in 1-5 Oct 11-1-12
 Comments in U.I. 2/22/12
 Comments in U.I. 3/18/12

**City of Portland
 Development Review Application
 Planning Division Transmittal form**

1/31/13

Application Number: 2012-612 **Application Date:** 10/16/2012 12:00:00
CBL: 045-E-042 *Not under the lowest land CBL*
Project Name: West End Place
Address: 40-44 Pine St. & 183-189 Brackett St.
Project Description: Mixed Use; 39 Residential apartments; 2 ground floor retail suites *eParking*
Zoning: B-1 *G.M. Def*
Other Reviews Required: Historic Preservation
Review Type: Level III Site plan

Distribution List:

| | | | |
|---|----------------------|--|----------------------|
| <input type="checkbox"/> Planner | Shukria Wiar | <input type="checkbox"/> Parking | John Peverada |
| <input type="checkbox"/> Zoning | Marge Schmuckal | <input type="checkbox"/> Design Review | Alex Jaegerman |
| <input type="checkbox"/> Traffic Engineer | Tom Errico | <input type="checkbox"/> Corporation Counsel | Danielle West-Chuhta |
| <input type="checkbox"/> Civil Engineer | David Sensus | <input type="checkbox"/> Sanitary Sewer | John Emerson |
| <input type="checkbox"/> Fire Department | Chris Pirone | <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"/> DRC Coordinator | Phil DiPierro |
| | | <input type="checkbox"/> Outside Agency | |

Comments needed by (7 days later): Wednesday, February 6, 2013
Final Written Comments by Wednesday, February 13, 2013

Marge Schmuckal - 40-44 Pine Street

From: Shukria Wiar
To: Chris Pirone; David Margolis-Pineo; David Senus; Jeff Tarling; Marge...
Date: 1/31/2013 2:49 PM
Subject: 40-44 Pine Street
CC: William Clark
Attachments: Transmittal Form for Final Plan.docx

Hello:

The final application came in for 40-44 Pine Street. Attached is the transmittal sheet and the plans and documents are up on e-plan. The sheet has the dates when the comments need to be submitted.

Dave and Bill, there is a subdivision plat (part of the site plans) that needs to be reviewed as well.

If you any questions, please let me know.

Thanks.

Shukria

11:00 - Tues 23rd Happen Review

Applicant: West END PLACE

Date: 10/18/12

Address: Brackett & Pine

C-B-L: 45-E-39-40-41-42:50

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New Development

Zone Location - B-1 - Portions of R-6 in Retro & Historic

Interior of corner lot - use meets 2A - 1 BDRM

Proposed Use/Work - zoning 39 residential DU & 2 retail surfaces on Ground Floor

Sewage Disposal - City did a zoning assessment (in Doc) and parking on ground floor

Lot Street Frontage - 50' min - 72.90' + 192.11' given or 265.01 ft total

Front Yard - MAX - 10' meeting both Nomin req.

Rear Yard - 20' if abuts a res. zone which it does on the right - shows 29' from bldg - parking of funds further

Side Yard - None except where a side yard abuts a res. zone of 1st floor res. use 10' shown at min from bldg on right then 10' req

Projections -

Width of Lot - None

Height - 45' MAX - 4 stories shown - 43' shown - see 1/21/13 response letter NO AVERAGE grade received

Lot Area - none required - 17,388^{sq} given

Lot Coverage/Impervious Surface - 90% MAX 14,988^{sq} / 17,388^{sq} = 86.197%

Area per Family - 435^{sq} of land area per DU 435 x 39 = 16,965^{sq}

Off-street Parking - only showing 34 - 39 req (ipadu)

Loading Bays - N/A

Site Plan - 2012-612

Shoreland Zoning/Stream Protection - N/A

Flood Plains - Panel 13 - Zone C

MAX 1st floor area of a multi-tenant shall be no greater than 10,000^{sq} - 3,329^{sq} given Noise req.

NO OK always need variance

showing of site which the planning Board can approve - sec 14-33A

in return
on 11/1/12

West End Place – Pine & Brackett Streets
#2012-612 CBL: 45-E-39,40,41,42 & 50
B-1 & R-6 Zones
11/1/2012

This project is for a new building consisting of two retail spaces along with parking on the first floor with 39 residential dwelling units above. The full property is located primarily within a B-1 zone with approximately 27 foot of R-6 zone located in the rear of the property abutting Bracket Street. Section 14-51 can be employed so that essentially the entire lot is located within the B-1 zone. There is also a Historic Overlay zone.

The B-1 zone allows the retail uses and multi-family uses. The setbacks work if Pine Street is declared the “front” of the property. The initial information indicates that the maximum building height can be met. However, I would like more detail showing the average grades around the building and how that relates to the height. The maximum impervious surface ratio is being met.

The applicant has asked for a “waiver” of 5 parking spaces from the Planning Board. It is the Board of Appeals that must grant a variance for the parking spaces, not the Planning Board. However, I question whether this is considered to be an “affordable housing” project that would allow for reduction in parking.

All HVAC units shall meet the maximum noise allowance as stated in the B-1 zone. At the time of HVAC permitting this office will require unit information on dBA emissions.

Separate permits are required for any new signage.

Marge Schmuckal
Zoning Administrator

in U.I

MEMORANDUM

To: FILE

From:

Subject: Application ID: 2012-612

Date: 2/22/2013

Comments Submitted by: Marge Schmuckal/Zoning on 2/22/2013

I have updated my review based on the most current information submitted. The applicant submitted information showing that the maximum height requirement is being met.

The Planning Board is allowed to approve parking spaces off-site as stated under 14-334. Thirty-nine parking spaces are required for the 39 dwelling units. Thirty-four parking spaces are shown on-site with the balance being shown off-site.

All other B-1 zone requirements are being met at this time. The conditions that were outlined in my memo dated 11/1/2012 are still in force.

Marge Schmuckal
Zoning Administrator

MEMORANDUM

FILE

From: Shukria Wiar

Subject: Application ID: 2012-612

Date: 5/16/2013

Comments Submitted by: Marge Schmuckal/Zoning on 5/16/2013

Ranor Mechanical forwarded dBA information concerning equipment and their sound data. The bottom line is 52.6 dBAs at 3' from the unit or noise source. The B-1 Zone allows a maximum dBAs of 55. Therefore based on this information, the maximum noise level requirements of the B-1 zone are being met.

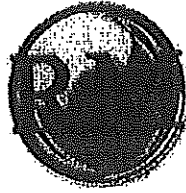
All other conditions are still in force.

Marge Schmuckal
Zoning Administrator

RECEIVED

MAY 16 2013

Dept. of Building Inspections
City of Portland Maine



Ranor Mechanical

Commitment - Experience - Performance - Quality

West End Place Mechanical Equipment Noise Data:

Below is the list of equipment on the sound data on the equipment as well as the calculated sound level at the boundary line.

| Mini Split Outdoor Units | | | | | | | | | | | |
|--------------------------|---------|--------------|------------|-----------------------|-----------------------|-------|-------|------|-------|-----------------|--------------|
| QTY | Tag # | Manufacturer | Model | Cooling Capacity BTUH | Heating Capacity BTUH | SEER | V/φ | MCA | MROPD | Sound Level Dba | Areas Served |
| 16 | COND. A | DAIKEN | 2MXS18GVJU | 17000 | 22000 | 16.3 | 208/1 | 11.1 | 20 | 51 | APARTMENT |
| 21 | COND. B | DAIKEN | 3MXS24JVJU | 23600 | 29400 | 14.8 | 208/1 | 17.8 | 20 | 52 | APARTMENT |
| 2 | COND. C | DAIKEN | 4MXS32GVJU | 29800 | 31200 | 15.25 | 208/1 | 18.0 | 20 | 54 | APARTMENT |

| RTU SCHEDULE | | | | | | | | | | | | | | |
|--------------|----------|---------|----------|---------------|------------|-----|-----------|-----|------|------|------|------------------|------------------|----------------|
| TAG | SERVICE | MFR | MODEL | OUTDOOR R AIR | SUPPLY CFM | HP | V/P/C | FLA | MCA | MOP | FUSE | COOLING CAPACITY | HEATING CAPACITY | Sound Data Dba |
| RTU-1 | CORIDORS | Goodman | GPG13480 | 200 | 1550 | 3/4 | 208-230/1 | 5.8 | 27.1 | 32.1 | 50 | 4 | 69000 | 80 |

The mini split outdoor units are all below the 55db sound level. The assumption is that the sound level is measured at 3' from the unit or noise source.

To calculate the RTU sound level at the boundary the formula below is used.

$$Lp(R2) = Lp(R1) - 20 \log_{10} (R2/R1) \text{ [dB]}$$

Where:

- Lp (R1) = Sound Pressure Level at the initial location
- Lp (R2) = Sound Pressure Level at the new location
- R1 = distance from the noise source to the initial location
- R2 = distance from the noise source to the new location

So, in this case, Lp(R1) = 80 db, R1=3', R2=70' (The 70' was calculated by looking at the 43' vertical distance from the boundary line to the roof and the worst case of 27' from the boundary to the RTU)

$$Lp(R2) = 80\text{dba} - 20 \log_{10} (70/3)$$

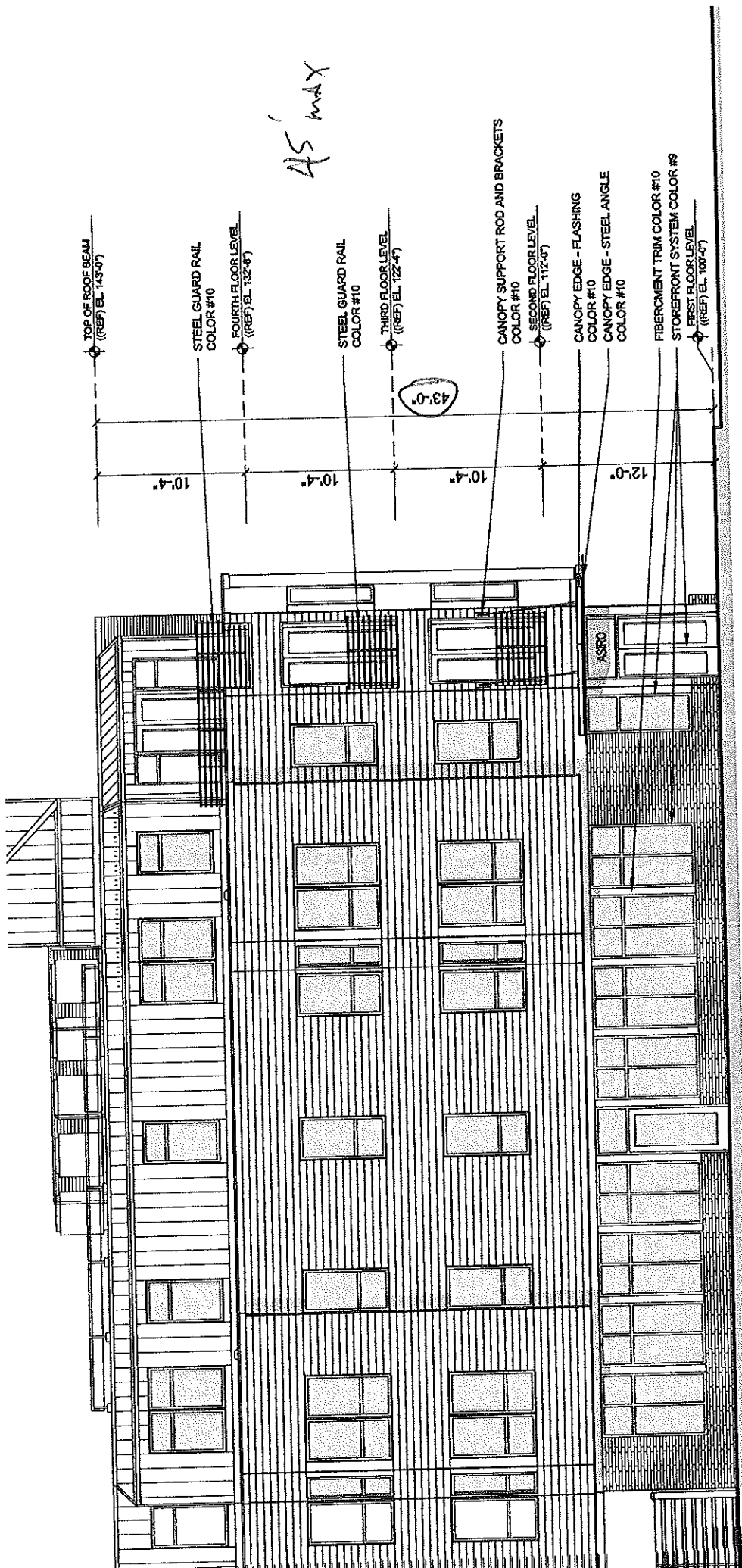
$$Lp(R2) = 52.6\text{dba}$$

The above information is based on the equipment data and above assumptions.

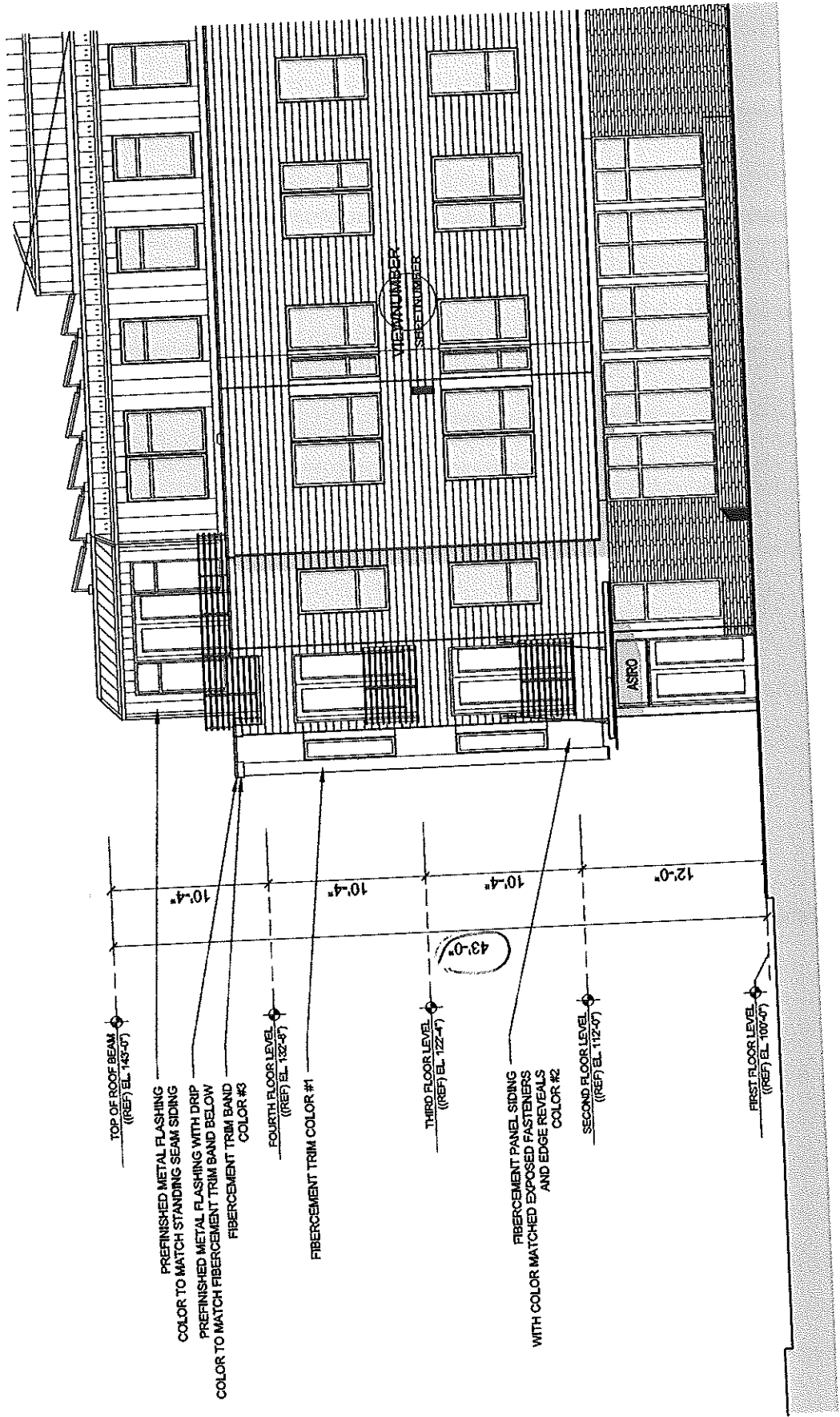
B-1 Zone 55 dBA max

131/13

45' max



1/31/13



1/31/13

Re: Response to Review Comments
West End Place Planning Board Review

In regards to the above-referenced project, the following responses by Blais Civil Engineers, Nadeau Land Surveys, Redfern RWS, LLC, Senatore Architecture, and Allied Cook Construction address comments received from Shukria Wiar, Planner, City of Portland in a letter dated November 2nd, 2012:

Shukria Wiar, Planner, City of Portland Comments:

1. **Zoning (Marge Schmuckal, Zoning Administrator, City of Portland)**
This project is for a new building consisting of two retail spaces along with parking on the first floor with 39 residential dwelling units above. The full property is located primarily within a B-1 zone with approximately 27 foot of R-6 zone located in the rear of the property abutting Brackett Street. Section 14-51 can be employed so that essentially the entire lot is located within the B-1 zone. There is also a Historic Overlay zone.

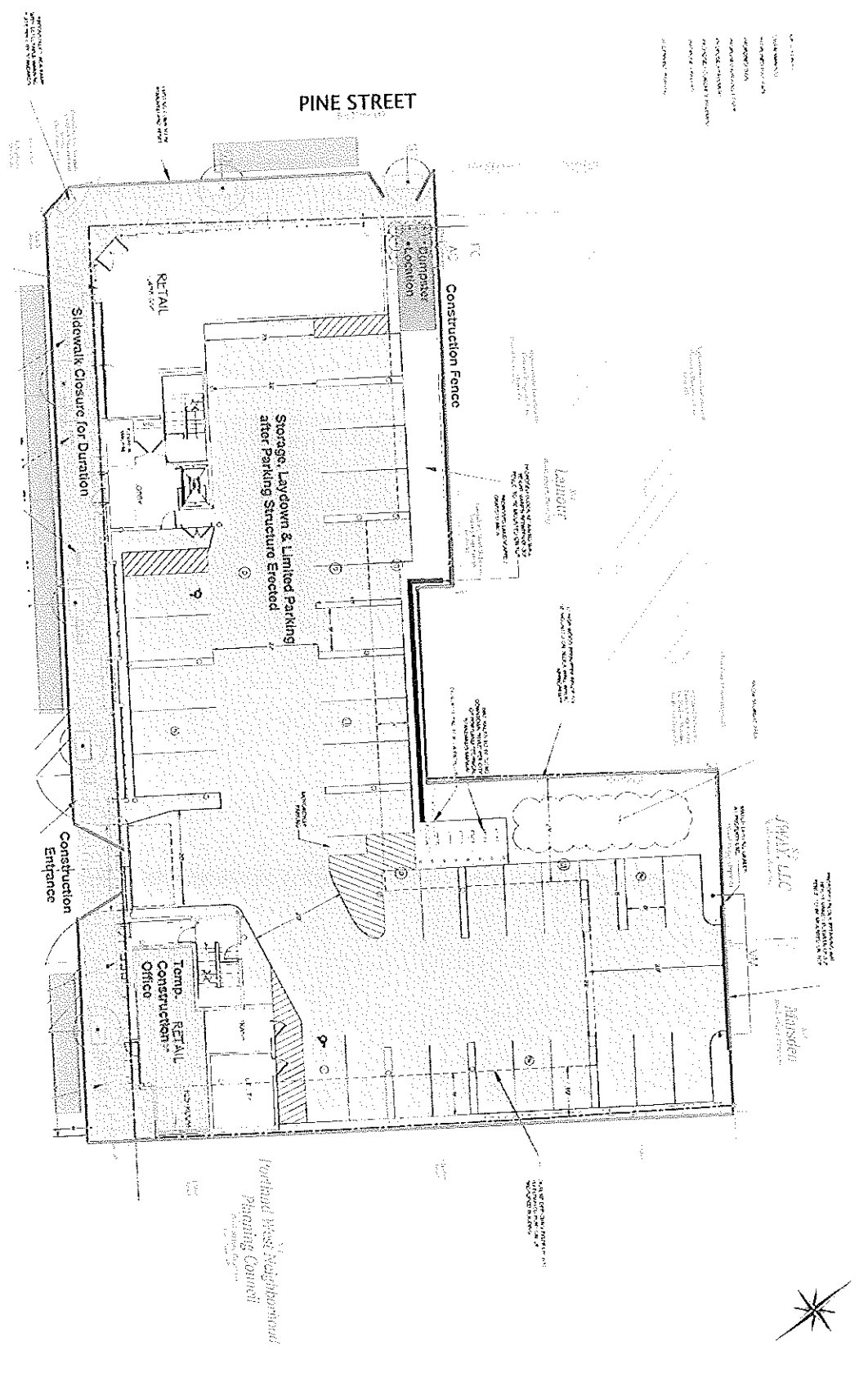
Response: Acknowledged.

The B-1 zone allows the retail uses and multi-family uses. The setbacks work if Pine Street is declared the "front" of the property. The initial information indicates that the maximum building height can be met. However, I would like more detail showing the average grades around the building and how that relates to the height. The maximum impervious surface ratio is being met.

Response: Pine Street is the Front of the Property. See the Grading Plan (Sheet C1-3) Indicating Spot Grades around the Building. The base floor elevation is 139.40', the building height of 43'-0" from top of roof beam of the proposed structure is measured from this elevation. The lowest grade at the face of building perimeter is 139.0'. At one location on the Northwest corner of the building, grades increase in all directions around the perimeter. The average grade will be higher than or equal to 139.40' and the building height of 43'-0" to top of roof beam from 139.40' will be below the 45' maximum for the Zone.

OK
on height

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 3. ALL WALLS ARE 12" THICK UNLESS NOTED OTHERWISE.
 4. ALL DOORS ARE 36" WIDE UNLESS NOTED OTHERWISE.
 5. ALL WINDOWS ARE 48" WIDE UNLESS NOTED OTHERWISE.
 6. ALL CEILING HEIGHTS ARE 10' UNLESS NOTED OTHERWISE.
 7. ALL FLOOR FINISHES ARE TO BE DETERMINED BY THE OWNER.
 8. ALL EXTERIOR FINISHES ARE TO BE DETERMINED BY THE OWNER.
 9. ALL UTILITIES ARE TO BE LOCATED AND DELETED BY THE OWNER.
 10. ALL MECHANICAL, ELECTRICAL AND PLUMBING ARE TO BE LOCATED AND DELETED BY THE OWNER.



13113

SUBMITTAL TO CITY 10/09/2012
LAYOUT & MATERIALS PLAN
WEST END PLACE
BRACKETT STREET PORTLAND, MAINE
 PREPARED FOR
REDFERN LVS, LLC
 918 BOX 8316
 PORTLAND, MAINE 04101

Blais
 civil eng.neers
 785 BRADLEY SQ. PORTLAND, ME 04108 (207) 767-7800
 6 2ND FLOOR CITY EQ-25783A PL

| REVISIONS | |
|-----------|------|
| NO. | DATE |
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| | |

Portland West Neighborhood
 Planning Council

JWAY LLC
 1000 BROADWAY
 PORTLAND, ME 04108
 (207) 767-7800
 www.jway.com

1/31/13

The applicant has asked for a "waiver" of 5 parking spaces from the Planning Board. It is the Board of Appeals that must grant a variance for the parking spaces, not the Planning Board. However, I question whether this is considered to be an "affordable housing" project that would allow for reduction in parking.

Response: Both 14-332(a), 3.c and 14-526(a), 4.a authorize the Planning Board to establish a parking requirement less than normally required for the zone.

The parking requirement may be reduced under 14-332.(a) 3.c if the Planning Board finds unique conditions that result in a lesser parking demand such as housing that participates in a (travel) transportation demand management program. William Bray, PE, of Traffic Solutions has submitted a comprehensive TDM plan which outlines multiple techniques the project will utilize to reduce parking demand. The TDM plan is included in this submittal.

All HVAC units shall meet the maximum noise allowance as stated in the B-1 zone. At the time of HVAC permitting this office will require unit information on dBA emissions.

Response: The Applicant will submit documentation for all HVAC equipment with their respective dBA emissions when the project is submitted for building permit.

Separate permits are required for any new signage.

Response: As the project is within the West End Historic District, all signage not currently shown on the submitted plans will be submitted to the Historic Preservation Program Manager for approval and permit.

2. Transportation Standards

- a. I concur with the trip generation estimate and that there are no High Crash Locations in the study area. The applicant will be providing an evaluation of the Brackett Street/Pine Street intersection and I will provide comments upon receipt of the analysis.

Response: Bill Bray of Traffic Solutions prepared the Traffic Assessment of the Brackett Street / Pine Street intersection. The assessment is included with this submission.

**WRITTEN STATEMENTS
PRELIMINARY SITE PLAN APPLICATION REVIEW
WEST END PLACE
PORTLAND, MAINE
OCTOBER 9, 2012**

- **General Summary of Existing and Proposed Easement or Other Burdens**

The boundary and existing conditions survey prepared by Nadeau Land Surveys (dated 8/20/12) indicates an existing Portland Water District easement located adjacent to the existing buildings on-site. The applicant is in the process of confirming that this easement was only for service to the building that will be demolished.

- **General Summary of Significant Natural Features Located On Site**

To the best of our knowledge, this site has no unusual natural areas, wildlife and fisheries habitats, archaeological sites or other existing significant natural features, as defined in Section 14-526 (b) 1 of the Land Use Code.

- **Request for Waivers from Individual Site Plan and / or Technical Standards**

We formally request waivers to the following Site Plan Standards (*City of Portland Code of Ordinance Chapter 14 Land Use, June 21, 2012*):

Section 14-332 (a) 3 (a) and (c) – OFF-STREET PARKING – RESIDENTIAL DEVELOPMENTS ON PENINSULA

Section 14-332 (a) 3 (a) states that one (1) parking space is required per residential unit. The ground level parking layout provides 34 parking spaces for the proposed 39 residential units. The proposed layout maximizes parking by combining standard and compact spaces with reduced aisle widths. We request a waiver from the off-street parking standard for five (5) parking spaces.

*no
waiver -
only variance*

For Section 14-332 (a) 3 (c), we respectfully request the planning board find the number of proposed parking spaces sufficient for the scope of this project. This section states that leniency by the planning board is possible in the event that a residential project establishes a travel demand management (TDM) program and is in close proximity to public transit. A TDM is in progress for this project and public transit is conveniently located within a ¼ mile of the proposed development.

Section 14-526 (a) 4 (a) (iv) – PARKING

This section states that all parking spaces and aisles shall comply with the dimensional requirements of the City's Technical Manual. Proposed parking spaces (both standard and compact) are consistent with these standards, but proposed aisles are 22' wide, rather than the required 24' width. We believe this width to be adequate because of the anticipated low volume use, assigned parking and infrequent turnover of residential parking spaces. A turning template exhibit is included with this document, indicating that the provided aisle width will work for both standard and compact size vehicles. This configuration of parking and aisle width provides adequate maneuvering room for vehicles, and therefore we request a waiver to the aisle width standards, both as part of the Site Plan and Technical Standards.

Section 14-526 (b) 2 (b) (iii) (a)- LANDSCAPING AND LANDSCAPE PRESERVATION

This section states that 1 street tree per residential unit is required. Currently, there are four (4) existing street trees along Bracket Street and one (1) along Pine Street. Based on the required spacing for new trees of 30 to 45 feet on center, the frontage of this property is not sufficient to meet the requirement. Six (6) new street trees are proposed, as indicated on the Site Plan. We are seeking a waiver from the number of new street trees to be planted on the premise that the spacing and number of trees required for a development of this scope cannot physically fit along the property's frontage.

We formally request waivers to the following Technical Standards (*City of Portland Technical Manual, May 11, 2010*):

1.14. PARKING LOT AND PARKING SPACE DESIGN

This Section indicates that parking lots with more than 10 spaces may be comprised of up to 20% compact parking spaces. On the proposed Site Plan, we are providing a total of 34 parking spaces, 50% (17 spaces) of which are compact. We request a waiver to the Standards to allow the 17 compact spaces.

Parking Lot aisle widths are indicated in Figures I-28 thru I-31 of the Technical Manual. We are providing an aisle width of 22 feet, as stated above, which we believe to be adequate because of the low volume use, assigned parking and infrequent turnover of residential parking spaces. We believe this configuration of parking and aisle width provides adequate maneuvering room for vehicles, and therefore request a waiver to the aisle width Technical Standard, as discussed above.

Summary of Requested Waivers:

- 1. Shortage of 5 parking spaces***
- 2. Reduced parking lot aisle width of 22'***
- 3. Reduced number of street trees to be planted***
- 4. Allow 50% of parking spaces to be for compact vehicles***

• ***Additional Information Regarding the Preliminary Site Plan***

AREA TRANSIT

Greater Portland Metro Bus Route #8 provides bus service to the West End neighborhood. There are stops at the intersection of Congress and State Streets (approximately 1/10 of a mile from the corner of Pine and Brackett Streets) and at the intersection of Pine and West Streets (approximately 400 feet from the corner of Pine and Brackett Streets). These bus stops, as well as the others along the #8 route, are denoted by yellow signs. Due to the extremely close proximity of this site to the established bus route and identified bus stops, we feel public transit is readily accessible from the proposed site. Therefore, no new transit facilities are provided.

BICYCLE PARKING

Bicycle parking is provided, consistent with the City's Technical Standards, for both the residential and retail uses proposed on-site. The 14 bicycle spaces required for 39 residential units are located behind the parking lot. Access will be through the building or overhead garage door. Parking for an additional 4 bicycles is provided in the sidewalk, near the largest proposed retail space. Because the garage will be access-controlled, we feel sidewalk bicycle parking would be most convenient for retail customers.

PROJECT DATA

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

| | |
|--|--|
| Total Site Area | 17,388 sf (0.40 acres) |
| Proposed Total Disturbed Area of the Site | 17,388 sf (0.40 acres) sq. ft. |
| <small>(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)</small> | |
| IMPERVIOUS SURFACE AREA | |
| • Proposed Total Paved Area | Building and Pavement 14,988 sq. ft. |
| • Existing Total Impervious Area | 17,388 sq. ft. |
| • Proposed Total Impervious Area | 14,988 sq. ft. |
| • Proposed Impervious Net Change | -2,400 sq. ft. |
| BUILDING AREA | |
| • Proposed Building Footprint | First floor area 3,329 sq. ft. |
| • Proposed Building Footprint Net change | 940 sq. ft. |
| • Existing Total Building Floor Area | 2,389 sq. ft. |
| • Proposed Total Building Floor Area | 39,088 sf plus 8,815 covered parking sq. ft. |
| • Proposed Building Floor Area Net Change | 36,699 sq. ft. |
| • New Building | Yes (yes or no) |
| ZONING | |
| • Existing | B1 Neighborhood Business Zone |
| • Proposed, if applicable | B1 Neighborhood Business Zone |
| LAND USE | |
| • Existing | Retail, Residential and Parking |
| • Proposed | Retail, Residential and Parking |
| RESIDENTIAL, IF APPLICABLE | |
| • Proposed Number of Affordable Housing Units | (0) Zero |
| • Proposed Number of Residential Units to be Demolished | (1) One |
| • Existing Number of Residential Units | (1) One |
| • Proposed Number of Residential Units | (39) Thirty Nine |
| • Subdivision, Proposed Number of Lots | (1) One |
| PARKING SPACES | |
| • Existing Number of Parking Spaces | (45-50) Fourty Five to Fifty |
| • Proposed Number of Parking Spaces | (34) Thirty Four |
| • Number of Handicapped Parking Spaces | (2) Two |
| • Proposed Total Parking Spaces | (34) Thirty Four |
| BICYCLE PARKING SPACES | |
| • Existing Number of Bicycle Parking Spaces | (0) Zero |
| • Proposed Number of Bicycle Parking Spaces | (14) Fourteen on site |
| • Total Bicycle Parking Spaces | (14) Fourteen on site |
| ESTIMATED COST OF PROJECT | \$5 million |

September 29, 2012

West End Place, Portland, Maine

Zoning Assessment

Zone: B1 Neighborhood Business Zone 14-161
 CBL: 045 E039001, E040001, E041001, E042001, E050001
 Street Address: 183-189 Brackett Street
 Lot Size: 0.40 acres = 17,388 sf

Uses Allowed: Any residential use permitted in the residential zone abutting the property, Business, Retail. **Conditional Use:** Restaurants meeting specific requirements

Dimensional Requirements:

| | Required | Provided |
|--|-----------|-------------------|
| Minimum Lot Size (Residential, Retail, Restaurant) | None | 17,388 sf |
| Minimum Street Frontage | 50 feet | 72.9 feet |
| Maximum Front Yard | 10 feet | 1 foot |
| Front Yard Setback | None | 1 foot |
| Side Yard Setback | 10 feet* | 10 feet* |
| Rear Yard Setback | 20 feet* | 28 feet ? |
| Maximum impervious surface ratio | 90% | 87.4% |
| Minimum Lot Width | None | 65 feet |
| Maximum building height | 45 feet | 43 feet |
| Maximum first floor area for multi-tenant bldg. | 10,000 sf | 3,329 sf |
| Maximum lot area per dwelling unit | 435 sf | 466 sf (39 units) |

* At abutting first floor residential use, other wise none required of Res. Zone

What street is front?

207-650-6414

senatorearchitecture.com

ryan@senatorearchitecture.com

67 Gray Rd, Gorham ME 04038

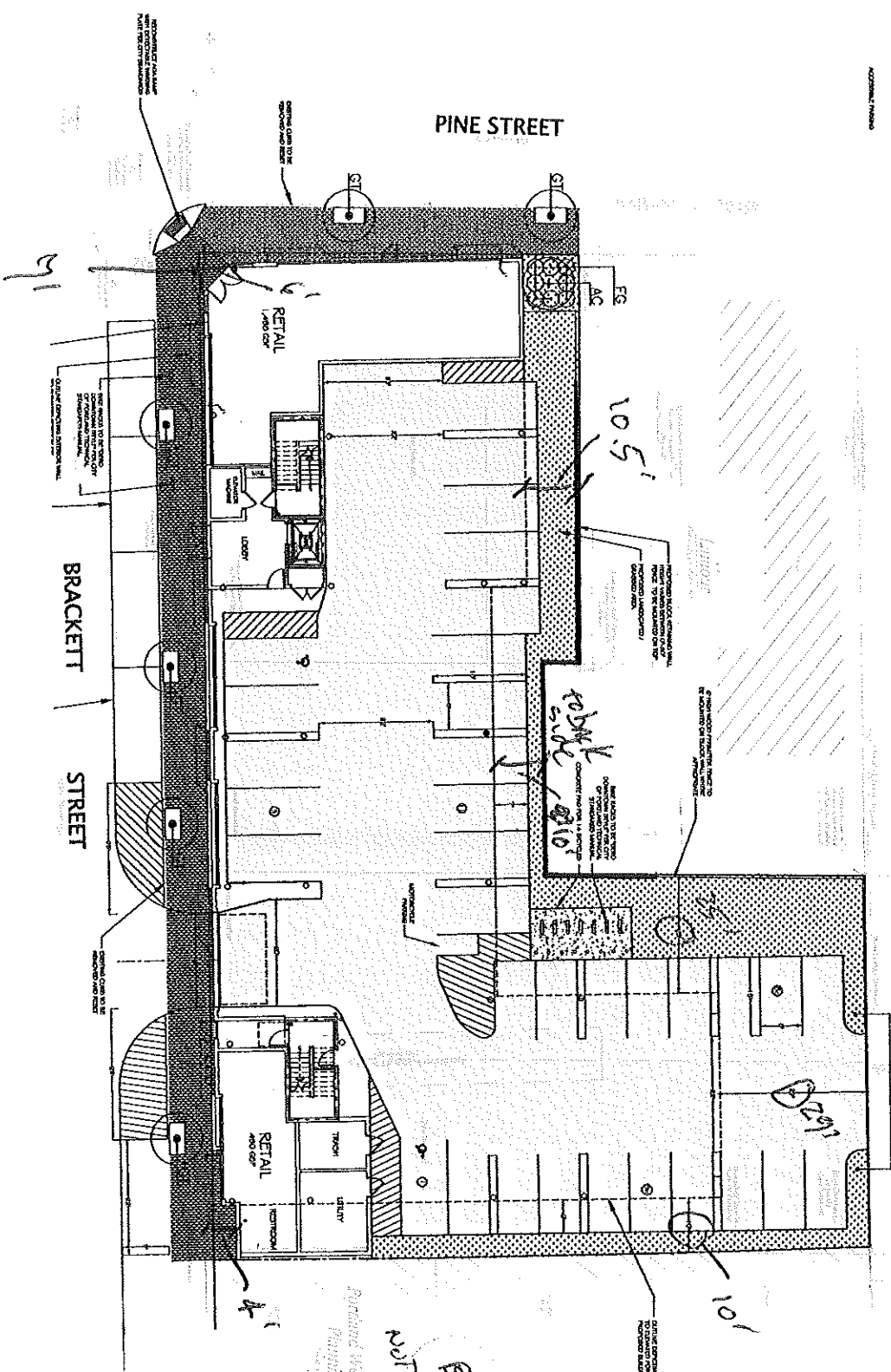
is this AN Affordably housing project

Off-Street Parking requirements:

| | Required | Provided |
|--|-----------------|-----------------|
| Residential Use: 1 space per dwelling unit | 39 spaces | 34 spaces |
| Retail: 1 space per 200 sf in excess of 2000sf | None (1,990 sf) | None |

B1 Business Zone Design Guidelines Apply

The proposed project meets all zoning requirements of the B1 zone above with the exception of parking spaces, we are preparing a Traffic Demand Management plan which outlines why we are proposing 34 onsite parking spaces for 39 dwelling units.

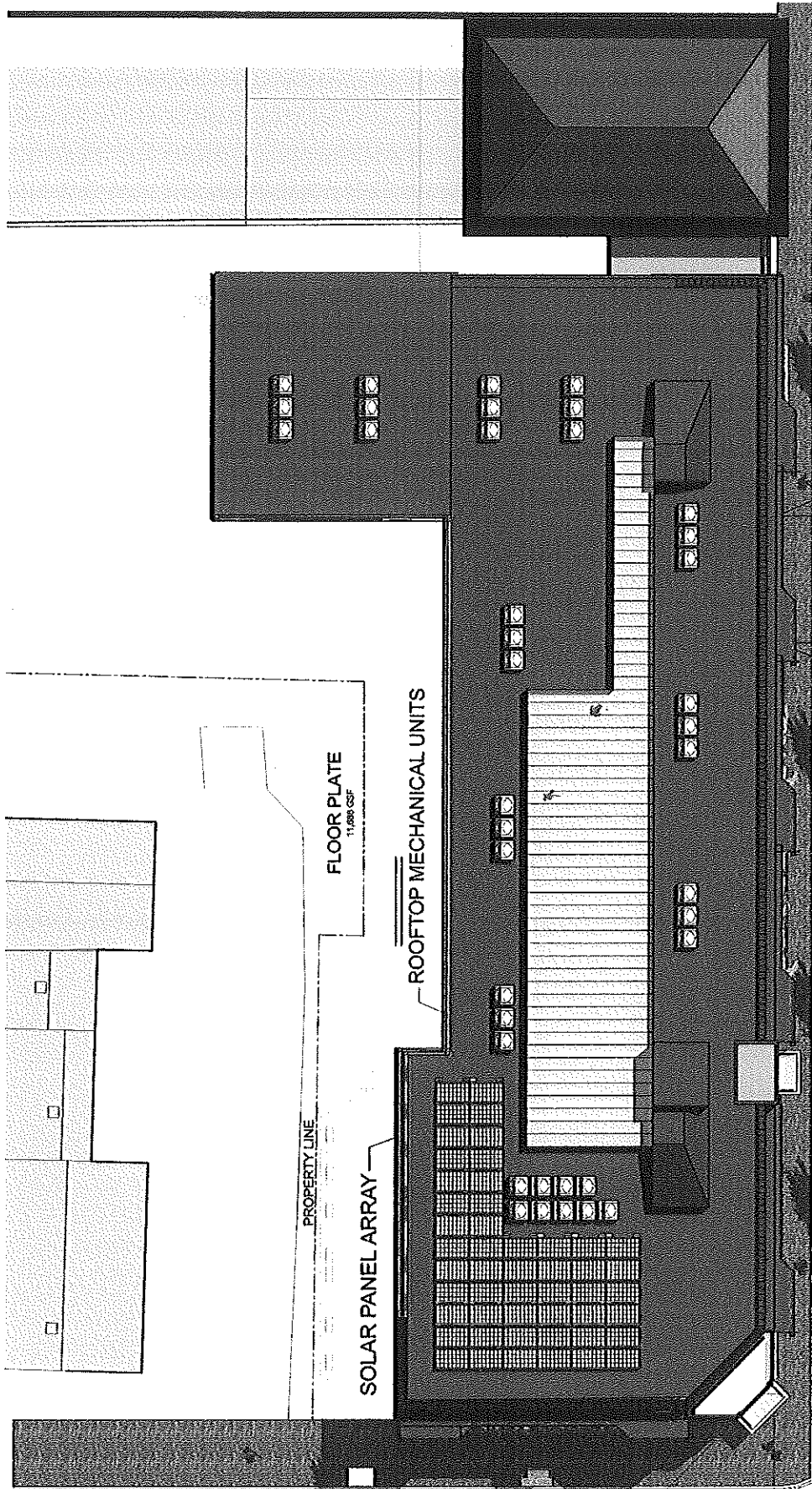


MINARY SUBMITTAL TO CITY 10/09/2012

LAYOUT & MATERIALS PLAN
 WEST END PLACE
 BRACKETT STREET PORTLAND, MAINE
 PREPARED FOR:

Blais
 civil engineers

| No. | DATE |
|-----|------|
| | |
| | |
| | |



FLOOR PLATE
11,000 CSF

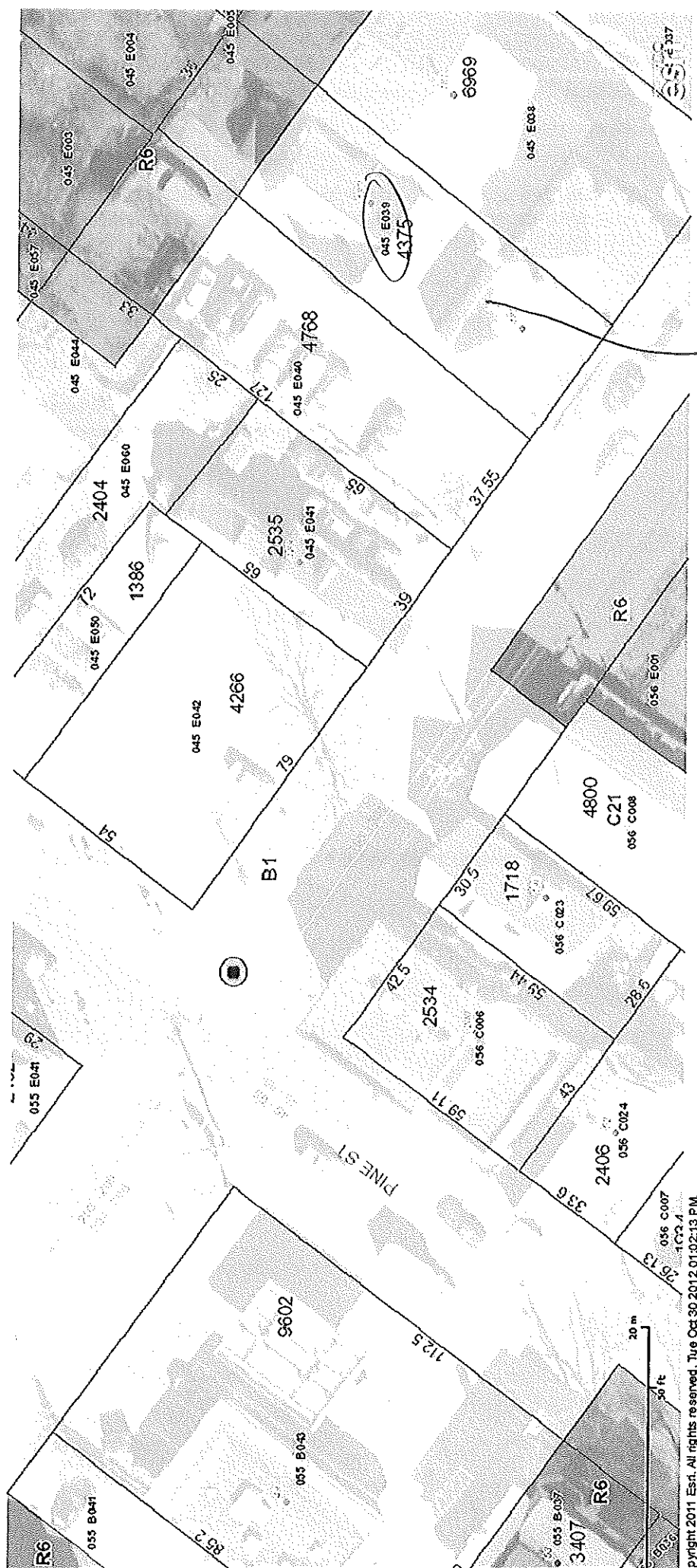
ROOFTOP MECHANICAL UNITS

PROPERTY LINE

SOLAR PANEL ARRAY

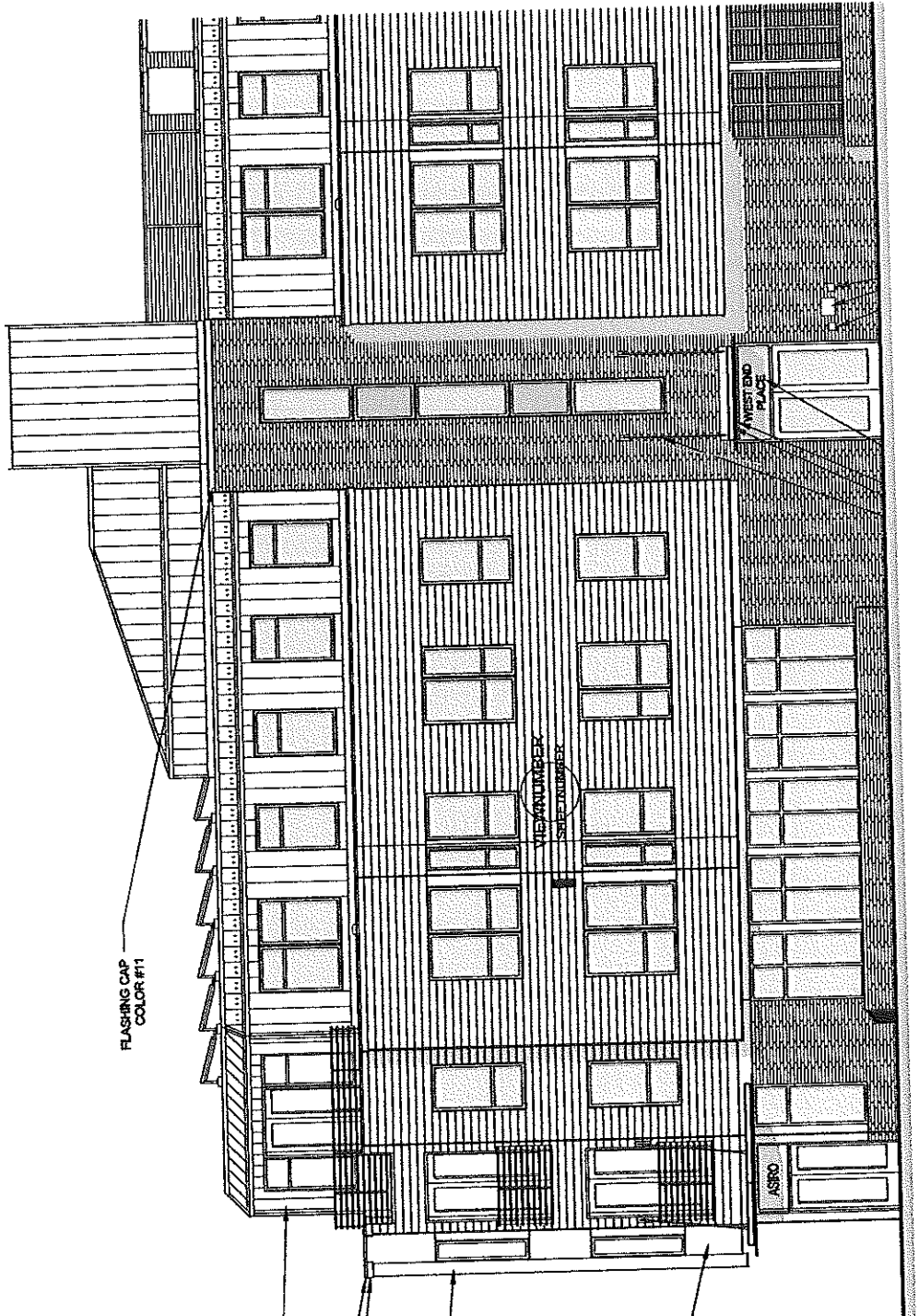
PINE STREET
(ONE WAY) →

West End Place



Demo permit

2014-00994



FLASHING CAP
COLOR #11

VIEW NUMBER
SHEET NUMBER

TOP OF ROOF BEAM
(REF) EL. 143'-0"

PREFINISHED METAL FLASHING
COLOR TO MATCH STANDING SEAM SIDING
PREFINISHED METAL FLASHING WITH DRIP
COLOR TO MATCH FIBRECEMENT TRIM BAND BELOW

FIBRECEMENT TRIM BAND
COLOR #3

FOURTH FLOOR LEVEL
(REF) EL. 132'-0"

FIBRECEMENT TRIM COLOR #1

THIRD FLOOR LEVEL
(REF) EL. 122'-0"

FIBRECEMENT PANEL SIDING
WITH COLOR MATCHED EXPOSED FASTENERS
AND EDGE REVEALS
COLOR #2

SECOND FLOOR LEVEL
(REF) EL. 112'-0"

FIRST FLOOR LEVEL
(REF) EL. 102'-0"

10'-4"

10'-4"

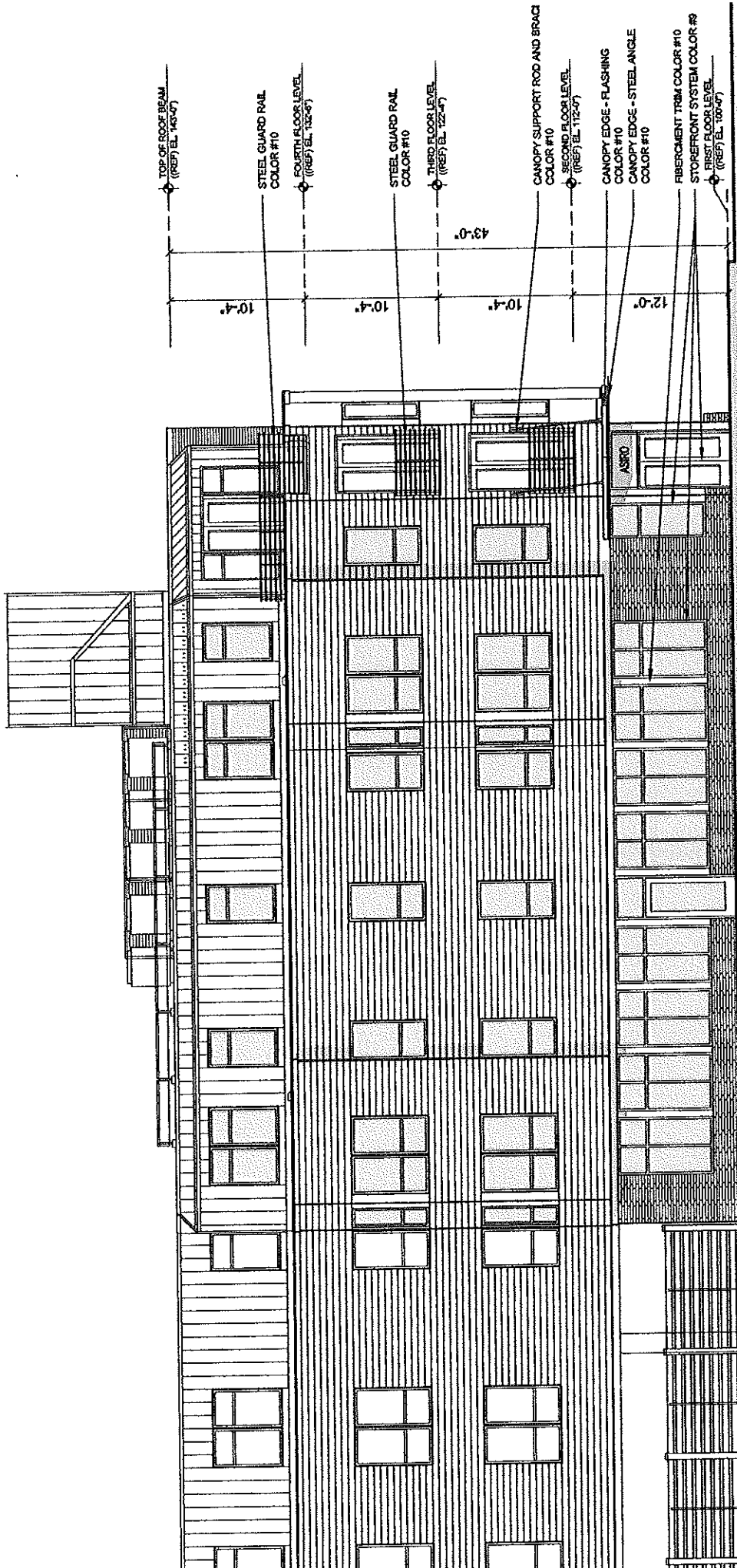
10'-4"

12'-0"

43'-0"

ASFO

WEST END PLACE



TOP OF ROOF BEAM
(REF) EL. 143'-0"

STEEL GUARD RAIL
COLOR #10

FOURTH FLOOR LEVEL
(REF) EL. 132'-0"

STEEL GUARD RAIL
COLOR #10

THIRD FLOOR LEVEL
(REF) EL. 122'-0"

CANOPY SUPPORT ROD AND BRAC
COLOR #10

SECOND FLOOR LEVEL
(REF) EL. 112'-0"

CANOPY EDGE - FLASHING
COLOR #10

CANOPY EDGE - STEEL ANGLE
COLOR #10

FIBERFRONT TRIM COLOR #10

STOREFRONT SYSTEM COLOR #2

FIRST FLOOR LEVEL
(REF) EL. 100'-0"

10'-4"

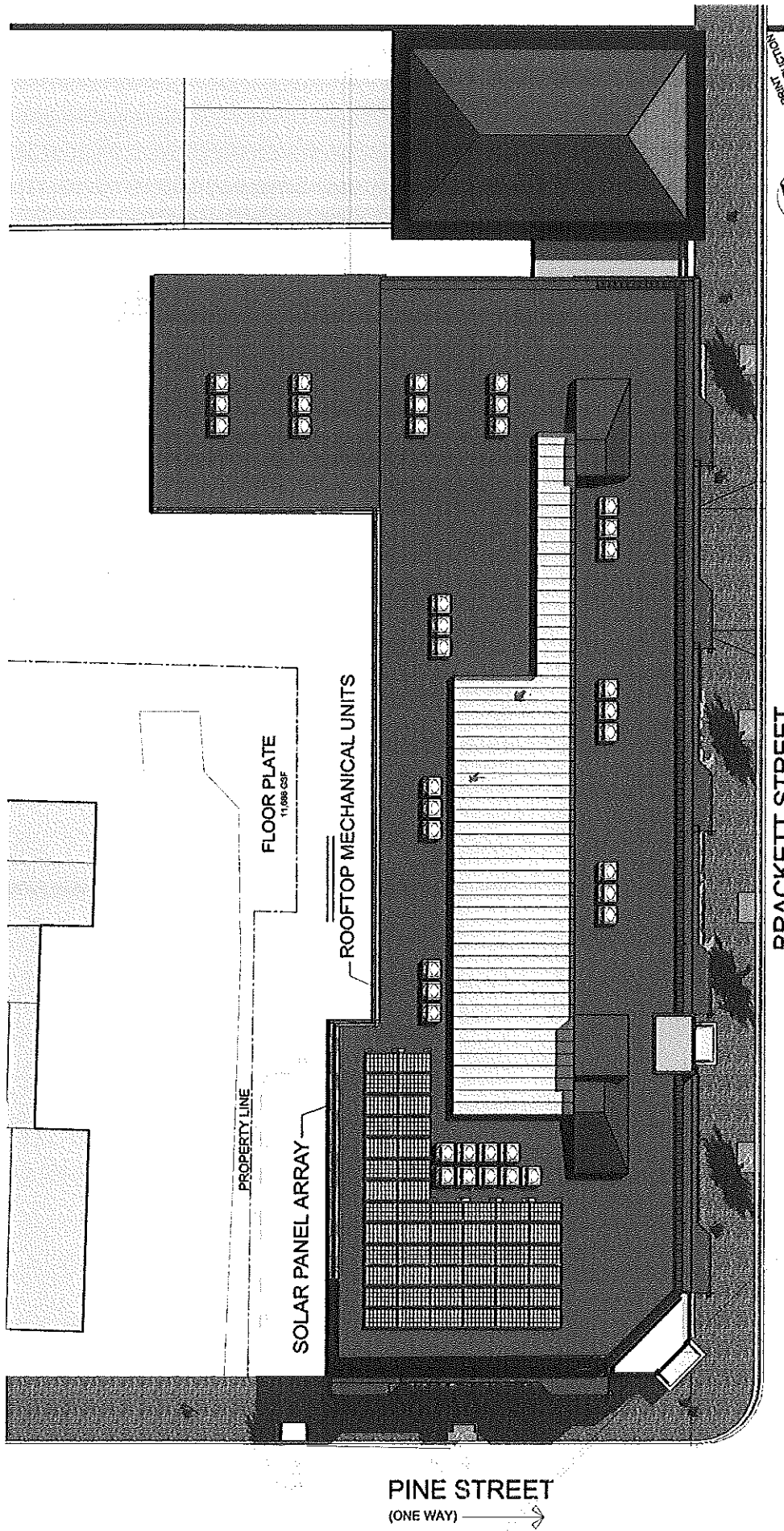
10'-4"

10'-4"

12'-0"

43'-0"

ASRC



FLOOR PLATE
11,088 CSF

ROOFTOP MECHANICAL UNITS

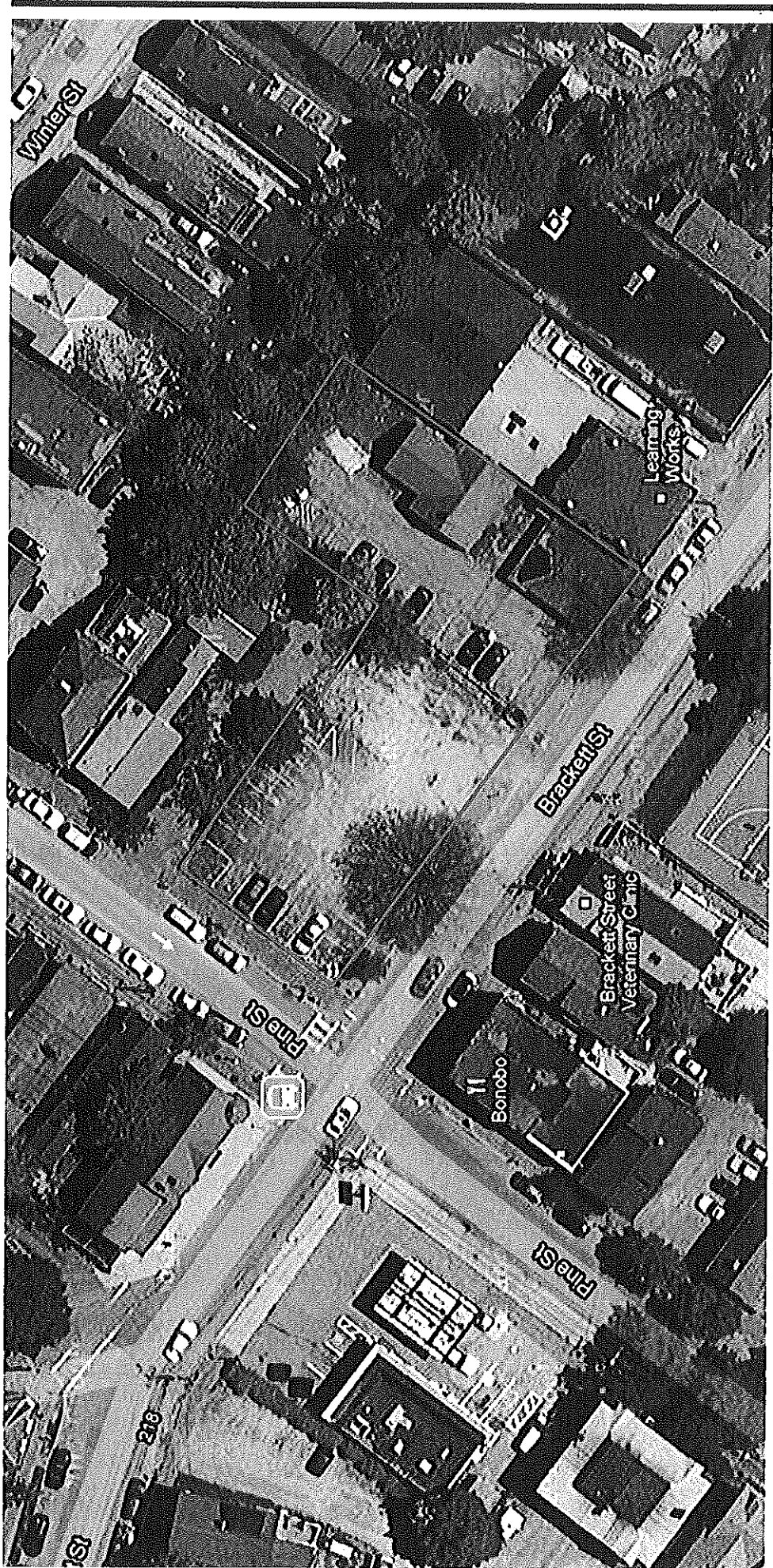
SOLAR PANEL ARRAY

PROPERTY LINE

PINE STREET
(ONE WAY) →

BRACKETT STREET

North
↑



CITY OF PORTLAND, MAINE
PLANNING BOARD

RECEIVED

MAR 20 2013

Dept. of Building Inspection
City of Portland

Carol Morrisette, Chair
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David Silk

February 27, 2013

Jonathon Cully
Paul Peck
Redfern LWS, LLC
PO Box 8816
Portland, ME 04104

Ryan Senatore
Ryan Senatore Architecture
80 Middle Street
Portland, ME 04101

Project Name: West End Place
Address: 40-44 Pine Street (183-189 Brackett Street)
Applicant: Redfern LWS, LLC
Planner: Shukria Wiar

Project ID: #2012-612
CBL: 45-E-39, 40,41,42,50

Dear Mr. Cully and Mr. Peck:

On February 26, 2013, the Planning Board considered West End Place for thirty-nine (39) residential apartments (twenty-four (24) one-bedroom and fifteen (15) two-bedroom units) and approximately 1,990 square feet of retail space at 40-44 Pine Street, corner of Pine and Brackett Streets. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted 5-0 (O'Brien, Silk absent) to approve the application with the following waivers and conditions as presented below.

WAIVERS

1. The Planning Board voted 5-0 (O'Brien, Silk absent) to waive the requirement of Section 1.7.2.3 of the City's Technical Manual that any site with driveway access to a street shall have a minimum width of 20 feet for two-way ingress and egress, with a preferred width of 24 feet, to allow the driveway width to be 18 feet.
2. The Planning Board voted 5-0 (O'Brien, Silk absent) to waive the requirement of Section 1.14 of the City's Technical Manual that show a 24 ft. wide drive aisle is required for perpendicular parking, to allow a reduction to 22 foot aisle width for the parking garage.
3. The Planning Board voted 5-0 (O'Brien, Silk absent) to waive the requirement of Section 1.14 of the City's Technical Manual that parking lots with greater than 10 spaces may be comprised of up to 20% compact parking spaces, to allow 17 compact spaces which is 50% of the total number.
4. The Planning Board voted 5-0 (O'Brien, Silk absent) to waive the requirement of Section 14-526 (b) (2) (b) (ii) Street Trees which requires that multi-family residential developments shall provide a minimum of one tree per unit, to allow the applicant to contribute \$6,600 to the City of Portland Tree Fund for the cost of required street.
5. The Planning Board voted 5-0 (O'Brien, Silk absent) to waive the Technical Standard, Sections 12.2.3 Illumination Levels and 12.2.5 Light Trespass, to allow the locations near the building where maximum light levels are exceeded by up to 4 foot candles, and to allow some minor trespass at the property boundaries that benefit the pedestrian areas.

SUBDIVISION REVIEW

The Planning Board voted 5-0 (O'Brien, Silk absent) that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following conditions of approval:

1. That the Subdivision Plat shall be finalized to the satisfaction of the Planning Authority, Department of Public Services and Corporation Counsel;
2. That the following shall be finalized to the satisfaction of the Corporation Counsel prior to the issuance of a Certificate of Occupancy:
 - a. Pedestrian access easement for the areas of the sidewalk that are not in the right of way;
 - b. Stormwater management agreement;
 - c. License for the overhang of the bay on to the City right-of-way
3. That the applicant shall submit a Stormwater Management and Stormwater Pollution Prevention Plan in accordance with Chapter 32 of the City's Code for review and approval by the Planning Authority and Department of Public Services prior to the recording of the subdivision plat. The applicant and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post-Construction Storm Water Management, which specifies the annual inspections and reporting requirements. The developer/contractor/subcontractor must comply with conditions of the final approved Stormwater Management and Stormwater Pollution Prevention Plans and the approved plans, and meet City standards and State guidelines.

SITE PLAN REVIEW

The Planning Board voted 5-0 (O'Brien, Silk absent) that the plan is in conformance with the site plan standards of the Land Use, subject to the following conditions of approval to be met prior to the issuance of a building permit, unless stated otherwise below:

1. That the parking required for the proposed development has been determined by the Planning Board to be 34 spaces for the proposed uses within the mixed use building, which include 39 residential units and less than 2,000 square feet of retail space. This determination is based upon the on-going implementation and annual monitoring as provided in the Transportation Demand Management Plan for the West End Place project;
2. That the applicant shall submit, for review and approval by the Planning Authority and the Department of Public Services, a revised Construction Management Plan that addresses the comments of the City staff;
3. That the driveway apron shall be in brick material and the detail on the final site plan shall reflect this change;
4. That the applicant shall obtain a license from the City, subject to review and approval by the Corporation Counsel's office, for any bays that extend over the City right-of-way, prior to the issuance of a Certificate of Occupancy;
5. That a final site plan must be submitted for review that incorporates Jeff Tarling, City Arborist review comments from his memo dated February 15, 2013;
6. That a final site plan must be submitted for review that incorporates David Senus, Consultant Engineer review comments from his memo dated February 7, 2013; and
7. That all HVAC systems and external mechanical equipment shall meet the maximum allowable noise requirements of the zone; each unit shall submit documentation of dBA output to confirm compliance of both the unit and the building in respect of rated noise levels and cumulative noise levels, to the satisfaction of the

Zoning Administrator prior to the issuance of a Building Permit for that unit.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report for #2012-612 which is attached.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Subdivision Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee.
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
3. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
4. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
5. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

10. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
11. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
12. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
13. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

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

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

Sincerely,



Carol Morrissette, Chair
Portland Planning Board

Attachments:

1. Jeff Tarling, City Arborist, memo dated February 15, 2013
2. David Senus, Consultant Engineer, memo dated February 7, 2013
3. Planning Board Report
4. City Code, Chapter 32
5. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Shukria Wiar, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Gayle Guertin, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer