



Zoning Map/Text Amendment Application Portland, Maine

Planning and Urban Development Department
Planning Division and Planning Board

Portland's Planning and Urban Development Department coordinates the development review process for requests for zoning map amendments, zoning text amendments and contract or conditional rezoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. The **Application Process for a Zone Change** is summarized below under Section I and the associated costs for reviews are found under Section II, **Development Review Fees, Public Notices and Guarantees**, and are listed on the fee structure sheet.

I. APPLICATION SUBMITTAL

Pre-application meeting

Prior to submitting a zoning amendment application, the Planning Division recommends that the applicant or the designated representative schedule a pre-application meeting to discuss the review process and applicable standards for a proposal. Please contact Barbara Barhydt, Development Review Services Manager at 874-8699 to schedule a meeting.

Zoning Amendment Application

All plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

- Submit one (1) complete paper set of the zoning amendment application with a concept plan and a written narrative. Contract and conditional rezoning applications must include 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. Applications may be submitted between 8 a.m. and 4:30 p.m. Monday through Friday at the Planning Division on the 4th floor of City Hall, 389 Congress Street, Portland.
- All applications are processed in the order in which they are received.
- In order for the Planning Division's Administrative Staff to accept and log-in an application, the application form must be complete, it shall be signed by the applicant's or the applicant's designated representative, and all applicable fees paid at the time of submittal.
- The Land Use Code is available on the City's website at www.portlandmaine.gov.
- If the application is found to be incomplete, the applicant will be informed in writing of the required plans and materials.

II. DEVELOPMENT REVIEW FEES, PUBLIC NOTICES AND GUARANTEES

Zoning Application Fees

- Each application must be submitted with the applicable fees as listed in the fee structure on page 4. The fees cover general administrative processing costs.
- Application fees may be paid in cash or by check (addressed to the City of Portland).
- An application will not be processed without the required application fees.

Fee for City Review Services

- The City of Portland charges fees for service to cover the cost of reviews by Planning and Legal staff members. The charges will be billed at an hourly rate and will be invoiced monthly for reimbursement.
- Current billing rates: Planning services, \$40.00/ hour and Legal services: \$75.00/hour.

Fee for Third Party Review

- Portland contracts with local engineering firms to conduct engineering reviews of development proposals. The direct cost of all engineering services or third-party consultant reviews, such as the civil engineering review of stormwater management plans, traffic impact reviews and such other reviews as required under the City’s Ordinances, will be included in the monthly invoices for reimbursement.

Public Notices

- Public notices must be sent to property owners within 500 for all proposals at the time an application is received. Zoning map amendments for Industrial zones require notices to be sent to property owners within 1,000 feet.
- In advance of a Planning Board workshop or public hearing, public notices for projects must be sent to property owners and are posted in a legal ad in the Portland Press Herald and on the City’s web site.
- In addition, zoning map amendments, text amendments and conditional rezoning agreements require individual notices to be posted in the Portland Press Herald.
- The Planning Division mails public notices and posts notices in the newspaper. The applicant will be billed for actual or apportioned costs for advertising and sending mailed notices.
- The applicant is required to hold a neighborhood meeting under the City’s regulations for zone change requests. The mailing labels must be purchased from the Planning Division for the neighborhood meeting invitation. A request for labels requires a minimum of two business days to generate the mailing labels and a charge of \$1.00 per sheet will be payable upon receipt of the labels.

Third Party Review Fees

- Engineer and Third Party Review Fees - The fees are assessed by the Consulting Engineers and Third Party Reviewers.
- Inspection Fee - This fee is 2% of the Performance Guarantee or as assessed by Planning or Public Works Engineer with \$300.00 being the minimum.

Noticing/Advertisements Planning Board/City Council Review

- Legal Advertisement: Percent of total bill
- Notices: .75 cents each
(notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council)

<p>Planning Division Fourth Floor, City Hall 389 Congress Street (207) 874-8721 or 874-8719</p>	<p>Office Hours Monday thru Friday 8:00 a.m. – 4:30 p.m.</p>
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PROJECT ADDRESS: 667 Congress St.

CHART/BLOCK/LOT: 46-C-19-20

DESCRIPTION OF PROPOSED ZONE CHANGE AND PROJECT:

We are seeking to change the the rear half of the parcel from R-6 to B-3. The front half of the parcel is already B-3. We are proposing to build a 7-8 story multi-family apartment building with roughly 130 rental apartments and parking under and behind the building.

CONTACT INFORMATION:	Applicant's Contact for electronic plans Name: Jonathan Culley e-mail Address jonathan@redfernproperties.com work # 207-221-5746
Applicant – must be owner, Lessee or Buyer Name: Redfern Properties LLC on behalf of MSD Properties LLC Business Name, if applicable: MSD Properties LLC Address: P.O. Box 5055 City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work # 207-221-5746 Home# Cell # 207-776-9715 Fax# 207-221-2822 e-mail: jonathan@redfernproperties.com
Owner – (if different from Applicant) Name: MSD Properties LLC Address: P.O. Box 5055 City/State : Portland, ME Zip Code: 04101	Owner Contact Information Work # Adam Taylor, Attorney 207-828-2005 Home# Cell # Fax# 207-347-4523 e-mail: ataylor@tmfatorneys.com
Agent/ Representative Name: Jonathan Culley/Redfern Properties LLC Address: P.O. Box 8816 City/State : Portland, ME Zip Code: 04104	Agent/Representative Contact information Work # 207-221-5746 Cell # 207-776-9715 e-mail: jonathan@redfernproperties.com
Billing Information Name: Redfern Properties LLC Address: P.O. Box 8816 City/State : Portland, ME Zip Code: 04104	Billing Information Work # 207-221-5746 Cell # 207-776-9715 Fax# 207-221-2822 e-mail: jonathan@redfernproperties.com
Engineer Name: Address: TBD City/State : Zip Code:	Engineer Contact Information Work # Cell # Fax# e-mail:

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.


MSD Properties LLC and Redfern Properties are working in conjunction to develop a multi-family apartment building with ground floor retail. Joe's Super Variety would occupy the ground floor retail space. Preliminary renderings of the proposed building are attached.

Site Plan: On a separate sheet, please provide a site 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' = 50'.) Contract and conditional rezoning applications may require additional 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 payable to the City of Portland.

<p>Zoning Map Amendment <u> </u> x \$2,000.00 (from <u>R-6</u> zone to <u>B-3</u> zone)</p>	<p>Fees Paid (office use) _____</p>	<p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> • Notices (\$.75 each) (notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) <p>Third party review is assessed separately.</p>
<p>Zoning Text Amendment <u> </u> \$2,000.00 (to Section 14- <u> </u>) (For a 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 (<u>example</u>) and language to be added is depicted as underline (<u>example</u>))</p>	<p>_____</p>	
<p>Combination Zoning Text Amendment and Zoning Map Amendment <u> </u> \$3,000.00</p>	<p>_____</p>	
<p>Conditional or Contract Zone <u> </u> \$3,000.00 (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.)</p>	<p>_____</p>	

<p>Signature of Applicant: </p>	<p>Date: 3/10/15</p>
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MSD PROPERTIES LLC / MICHAEL J. DISCATO
 MANAGING MEMBER

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.