



Jeff Levine, AICP
Director, Planning & Urban Development Department

August 31, 2018

23 Ocean Avenue Associates, LLC
PO Box 1398
Portland, ME 04104

Carroll Associates
217 Commercial St #200
Portland, ME 04101

Project Name:	23 Ocean Avenue Parking Plan Amendment	Project ID:	228-2018
Address:	23 Ocean Avenue	CBL:	129 G001001
Applicant:	23 Ocean Avenue Associates, LLC		
Planner:	Nell Donaldson		

Dear Mr. Cope:

On August 31, 2018, the Portland Planning Authority approved the amended site plan for your mixed-use project at 23 Ocean Avenue. The amendments to the plan, as represented in your cover letter dated August 14, 2018 and your Parking Management Memo dated August 28, 2018, are approved with the following condition(s):

1. Within six months of the issuance of certificate of occupancy for the full use of the building, the applicant shall provide an amended lease for off-site parking with an updated five year term for review and approval by the Planning Authority.
2. Within six months of issuance of certificate of occupancy for the full use of the building, and on an annual basis thereafter for a period of five years, the applicant shall also provide an analysis of parking demand, the efficacy of the parking management plan (including proposed transportation demand management measures), and neighborhood impacts for review and approval by the Department of Public Works and the Planning Authority. Should the analysis indicate that parking demand is not adequately met with the approved shared parking and off-site parking arrangement, the applicant shall submit and implement a revised parking plan, including transportation demand management measures, to address deficiencies for review and approval by the Department of Public Works and the Planning Authority;

Any waivers and conditions included in the original approval remain valid for the amended site plan application, with the exception of Site Plan Condition #4, which required the construction of a missing sidewalk link on Vannah Avenue proximate to an off-site parking area proposed under the original approval. As this off-site parking is no longer being proposed per this amendment application, this condition of approval is no longer applicable.

The approval is based on the site plan approved on October 25, 2016 and hereby amended. If you need to make any modifications to the approved site plan, you must submit an amended site plan for staff review and approval.

Standard Conditions of Approval

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

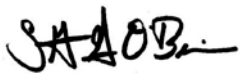
1. Develop Site According to Plan The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. 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 and Permitting Department. (if applicable)
3. 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. (if applicable)
4. Performance Guarantee and Inspection Fees A performance guarantee covering the site improvements, 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 and Urban Development and Public Works Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval. (if applicable)
5. Defect Guarantee A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released. (if applicable)
6. Pre-construction 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 Work'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. (if applicable)
7. Construction Management Plans The applicant, contractor and subcontractors are required to conform to the approved Construction Management Plan, and all conditions contained within the project's approval, for the entire duration of the project. Any amendments to the approved Construction Management Plan shall be reviewed and approved by the Department of Public Works prior to the execution. The Planning Authority and the Department of Public Works have the right to seek revisions to an approved Construction Management Plan. The applicant shall coordinate the project's construction schedule with the timing of nearby construction activities to avoid cumulative impacts on a neighborhood and prevent unsafe vehicle and pedestrian movements. Accordingly, nearby construction activities could involve a delay in the commencement of construction.
8. Department of Public Works Permits If work or obstructions will occur within the public right-of-way, such as utilities, curb, sidewalk, driveway construction, site deliveries and equipment siting, a Street Opening and/or Occupancy Permit (s) is required for your site. Please contact the Department of Public Works Permit Clerk at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

9. As-Built Final Plans Final sets of as-built plans shall be submitted digitally to the Planning and Urban Development Department, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

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

If there are any questions, please contact Nell Donaldson at (207) 874- 8723.

Sincerely,

A handwritten signature in black ink, appearing to read "S.G. O'Brien", with a horizontal line extending to the right.

Stuart G. O'Brien
City Planning Director