

CITY OF PORTLAND, MAINE

PLANNING BOARD

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March 1, 2018

Denis Lachman
55 Hamblet Avenue
Portland ME 04103

Don Dostie, Four Points Associates
9 Ralph Avenue
Lewiston, ME, 04240

Project Name:	502 Deering Center	Project ID:	2016-290
Address:	502 Stevens Avenue	CBL:	135-E-9
Applicant:	Denis Lachman		
Planner:	Matthew Grooms / Christian Roadman		

Dear Mr. Lachman:

On February 27 2018, the Planning Board approved the subdivision and site plan amendment for your 502 Deering Center project (7 residential units, including one live-work space, and two commercial spaces). This approval is subject to the City Council's approval of the B-1 and B-1b text amendments recommended by the Planning Board at its February 13 2018 public hearing. The recording plat can be signed after the Council's action. Any waivers and conditions included in the original approval remain valid for the amended site plan and subdivision plan unless stated otherwise.

The approval is based on the submitted subdivision and site plan approved March 28, 2017 and revised February 21, 2018. 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

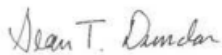
Please Note: The following standard conditions of approval and requirements apply to all approved site plans:

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.
3. 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 Matthew Grooms at (207) 874- 8725.

Sincerely,



Sean Dundon, Chair
Portland Planning Board

Attachments:

1. Planning Board Report

Electronic Distribution:

Jeff Levine, AICP, Director of Planning and Urban Development
Stuart G. O'Brien, City Planning Director, Planning and Urban Development
Barbara Barhydt, Development Review Services Manager, Planning and Urban Development
Matthew Grooms, Planner, Planning and Urban Development
Philip DiPierro, DRC, Planning and Urban Development
Mike Russell, Director of Permitting and Inspections
Ann Machado, Zoning Administrator, Permitting and Inspections
Jonathan Rioux, Deputy Director, Permitting and Inspections
Jeanie Bourke, Plan Reviewer/CEO, Permitting and Inspections
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Rhonda Zazzara, Construction Engineering Coordinator, Public Works
Jeff Tarling, City Arborist, Public Works
Jeremiah Bartlett, Transportation Systems Engineer, Public Works
William Scott, Chief Surveyor, Public Works
Mike Thompson, Fire
Danielle West-Chuhta, Corporation Counsel
Jennifer Thompson, Corporation Counsel
Victoria Volent, Housing Program Manager, Housing and Community Development
Thomas Errico, P.E., TY Lin Associates
Lauren Swett, P.E., Woodard and Curran
Christopher Huff, Assessor



PLANNING BOARD REPORT PORTLAND, MAINE

502 Deering Center (502 Stevens Avenue)
Recording Plat Amendment
2016-290
Denis Lachman, Applicant

Submitted to Portland Planning Board
Public Hearing Date: February 27, 2018

Prepared by: Matthew Grooms, Christian Roadman
Date: February 21, 2018

I. INTRODUCTION

Developer Denis Lachman's mixed-use infill development at 502 Stevens Avenue (immediately east of Lincoln Middle School at the intersection with Hartley Street) requires a recording plat amendment. The project was approved by the Planning Board on March 28, 2017 as a 6-unit residential project with ground floor commercial space. The project will now include 7 residential units, one of which is a ground floor live/work space, and two ground floor commercial spaces.

The proposed plat amendment allows the project to meet federal fair housing requirements while maintaining its previously approved building footprint. On February 13, 2018 the Planning Board recommended adoption of a text amendment to the B-1 and B-1b Neighborhood Business zones spurred in part by this project. That text amendment establishes residential uses as a permitted ground-floor use under set circumstances where active commercial street frontages are maintained, and confirms the established higher residential density for mixed-use projects.



Figure 1: 502 Stevens Avenue Site Location

Other details about the development at 502 Stevens Avenue remain as approved. The development includes a 7,767 sf, three-story mixed-use building, associated pocket park, and 10 surface parking spaces located to the rear of the building. The site is accessed from Stevens Avenue and is within the B-1b zone. The Planning Board reviewed the project for compliance with site plan and subdivision standards, but has not approved the proposed plat amendment.

Noticing: 168 notices were sent to property owners within 500 feet of the site. A legal ad ran on February 19 and 20, 2018 prior to this public hearing. No public comments have been received by the Planning Office.

Applicant: Denis Lachman

Consultant: Don Dostie, Four Points Associates

II. PROJECT DATA

Existing Zoning	Neighborhood Business B-1b
Proposed Development Program	7 Residential Units (Including 1 Live/Work Space), 2 Commercial Spaces
Parcel Size	9,562 sf.
Building Footprint	2,557 sf.
Parking Spaces (on site)	10
Parking Spaces (off-site)	2
Bicycle Parking Spaces	10
Estimated Cost of Project	\$1,046,000

III. BACKGROUND

In December of 2017 planning staff learned that two previously approved and partially constructed projects, including 502 Stevens Avenue, did not comply with federal and state fair housing regulations. These require that all residential buildings constructed after 1991 with four or more residential units are required to provide at least one accessible unit. Site conditions and standards of the B-1b district, particularly restrictions placed on ground-floor residential units, made financially feasible mixed-use projects difficult to implement at the scale permitted and in compliance with fair housing standards.



Figure 2: 502 Stevens Avenue

In response to this identified concern, the City proposed a text amendment to the B-1b zone. This amendment establishes residential uses as a permitted ground-floor use under set circumstances where active commercial street frontages are maintained, and confirms permissible residential density for mixed-use projects. At its Public Hearing on February 13, 2018, the Planning Board recommended approval of the proposed text amendment. It will next be considered at the City Council’s meeting on March 5, 2018.

III. ZONING ANALYSIS

If the B-1b zoning text amendment recommended for approval by the Planning Board is adopted by City Council, the proposed plat amendment will meet zoning requirements.

V. SUBDIVISION

The Planning Board report for the project’s original site plan/subdivision review is attached. The past analysis found the subdivision in compliance with the subdivision standards subject to conditions. The project met all conditions of approval. The addition of one unit is in conformance with all subdivision standards.

VI. PROPOSED MOTIONS**SUBDIVISION**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board reports for the public hearings on March 28, 2017 and February 27, 2018 for application 2016-290 relevant to the subdivision regulations; and the testimony presented at the planning board hearings, the Planning Board finds that the plan [is/is not] in conformance with the subdivision standards of the land use code, subject to the following condition of approval, which must be met prior to the signing of the plat:

1. The recording plat can be released for recording only after the City Council adopts the B-1 and B-1b text amendments recommended by the Planning Board at its February 20, 2018 public hearing.

VII. ATTACHMENTS**PLANNING BOARD REPORT ATTACHMENTS**

1. Planning Board Report (3.28.2017)

PLANS

- Plan 1. Updated 1st Floor Plan
- Plan 2. Front (East) Elevation
- Plan 3. Side (South) Elevation
- Plan 4. Side (North) Elevation
- Plan 5. Rear (West) Elevation
- Plan 6. Subdivision Plat