



December 23, 2014

City of Portland
Planning and Urban Development Department
Planning Division
389 Congress Street
Portland Maine 04101

Conditional Use Appeal for an Automobile Dealership at 783 Forest Ave

As a representative of the lessee of 783 Forest Avenue, Changiz Fard, I would like to ask the planning department and or Planning Board to grant our request to authorize a conditional use of the above address to operate as a Pre Owned Automobile Dealership.

Listed as a conditional use in section 14-183 of the zoning ordinance for the B-2 zone this property will continue to serve the neighborhood as it has since 1968. Originally a Citgo Gas Station, this property has always been associated with automobiles in some way.

Most recently C. N. Brown owned the property and used it as an oil delivery location.

The site will remain as it has with two entrances/exits that are not within 30 feet of intersection No entrance or exit for vehicles is proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.

The proposed conditional use is actually a traditional use along Forest Avenue. There are currently two used car dealers along Forest Avenue. This property is suited for the proposed use as there enough space to park at least 10 automobiles while still meeting the design guidelines of creating a 3 foot wide planted buffer in front of the property. The applicant will repair the sidewalk in front of the site to City of Portland specifications. They will also add approximately 15 feet of new curb on the southern most entrance to make the width 28 feet as requested by the City.

The parking lot is paved and in fair condition with the City of Portland concrete sidewalks providing safe passage for pedestrians.

To the north and south of the property are commercial buildings with the railroad to rear of the property. Commercial properties are directly across the street with two residences to the south of the commercial uses.

No sign is planned for the property at this time. There are two abandoned sign bases that are still in place but these will not be used at this time.

No mechanic work will take place on the parcel with very limited auto detailing taking place. Also, no dumpster is planned as the trash is currently picked up once a week by a private contractor.

We look forward to working with the planning staff in developing this conditional use.

Sincerely,
Robert T. Greenlaw PLS

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Old Orchard Beach, Maine 04064
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207-289-4546

ROBERT T. GREENLAW, PLS

Written Response to Conditional Use Standards:

Section 14-183:

(a) Business permitted to in the B-2 zone

(a) 5. Automobile dealerships

Signs:

No signs are planned on the street line side of the property.

Circulation:

The existing entrances shall be used for the dealership as shown on the attached proposed site plan. They are not within 30 feet of any intersection.

6. Drive through:

No drive through window is planned for the dealership.

(g) Conditions specific to major or minor auto service stations, car washes and automobile dealerships.

i. A 3 foot wide landscape buffer is planned to be installed along the street line as shown on the attached "Proposed Site Plan".

Section 14-474

1. An application has been submitted with the appropriate fee

a. The applicant's name and address is Changiz Fard 684 Baxter Blvd Portland, Maine 04103. Changiz is a lessee of the of the subject property.

b. The owner is Stephen E. Mardigan 460 Baxter Blvd Portland Maine 04103

c. The address of the subject property is 783 Forest Ave Portland Maine

d. The subject parcel falls in the B2 zone and is currently a former gas station last used as a home oil delivery office.

e. As noted above, an automobile dealership is a conditional accepted use in the B2 zone as mentioned in Section 14-183.

f. The applicant seeks to use the property as a previously owned automobile dealership.

g. A preliminary site plan is attached hereto.

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Assessment of Zoning Compliance:

The building was constructed in 1968 with gas pumps and a canopy in front of the building. The pumps, tanks and canopy have been removed and the site remediated. While the building does not meet the B2 zone requirement of having the building near the street it does meet setback requirements for the side and rear setbacks.

Evidence of Financial and Technical capacity:

A statement of Mr. Fard's financial capability has been submitted to the Building Inspection Department.

Required State and Federal Permits:

The State of Maine Car dealer's license has been submitted to the State and is waiting on the Conditional Use being approved by the City of Portland.