



May 28, 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 849 Forest Ave

As a representative of the owner of 849 Forest Avenue, Buildings on Forest Avenue LLC 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 in the area of used cars. Pine Tree Autobody has occupied the property for the last 28 years.

The site will remain as it has with one entrances/exit that is not within 30 feet of intersection No entrance or exit for vehicles is in 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 many automobiles. While meeting the design guidelines of creating a 5 foot wide planted buffer in front of the property can not be met, we feel the fact that the proposed area of vehicle display and customer parking is not visible from the street this should compensate for not building a buffer along Forest Avenue.

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

To the north and south of the property are commercial buildings with the railroad to rear of the property. Baxter Woods is directly across the street.

No sign is planned for the property at this time.

Light mechanic work will take place on the parcel with auto detailing taking place inside the building being currently occupied by Pine Tree Auto Body.

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

Sincerely,

Robert T. Greenlaw PLS

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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 32 foot wide entrance shall be used for the dealership as shown on the attached proposed site plan. It is 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. No 5 foot wide landscape buffer is planned to be installed along the street line as shown on the attached "Proposed Site Plan". There is no room on the property to do so.

Section 14-474

1. An application has been submitted with the appropriate fee

a. The applicant's name and address is Forest Avenue Buildings 849 Forest Avenue Portland, Maine 04103. Forest Avenue Buildings is the owner of the of the subject property.

c. The address of the subject property is 849 Forest Ave Portland Maine

d. The subject parcel falls in the B2 zone and is currently occupied with Pine Tree Auto Body, 2 take out restaurants and three apartments. .

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.

ROBERT T. GREENLAW, PLS

Assessment of Zoning Compliance:

The building was constructed approximately 28 ago and has remained an Auto Body Shop. 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 Forest Avenue Buildings LLC financial capability is included herein.

Required State and Federal Permits:

The State of Maine Car dealer's license will be submitted to the State and is waiting on the Conditional Use being approved by the City of Portland. The current business licenses are attached hereto.

We ask the planning authority to waive the requirement for a landscape buffer in front of the site along Forest Avenue. The Automobile dealership will not be seen from the street and will not adversely change the use of the site.

Robert T. Greenlaw PLS