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**CHEVERUS HIGH SCHOOL**  
**235 Ocean Avenue Conditional Use Application**  
*Portland, ME*  
PROJECT #15619

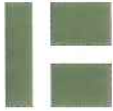
February 4, 2016

Conditional Use Application Narrative



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**CHEVERUS HIGH SCHOOL  
235 OCEAN AVENUE  
CONDITIONAL USE PERMIT**

**INTRODUCTION**

The 235 Ocean Avenue property is currently a single family residence in the R-3 Residential Use Zone (Section 14-86 City of Portland Land Use Code). The Lot size is 0.312 acres and abuts the Cheverus High School campus on the corner of Ocean Avenue and Pya Road. Cheverus is proposing to relocate administrative department offices from the main campus to the property. These offices (up to a maximum of 6 employees) are currently housed in spaces originally designed for storage or maintenance related functions. The relocation of these offices in the building will constitute an "institutional expansion" and require Conditional Use Approval. *Institutional Conditional Use in R-3: elementary, middle, secondary school (Portland Land Use Code Section 14-88)*. Cheverus is not planning any changes to the exterior of the residence including building footprint, driveway, landscaping, or exterior building features. Employees relocated to the building would continue to park in lots on the adjacent main campus. The existing driveway would act as parking for department guests.

**Lot Dimension**

	235 Ocean Avenue Actual	City of Portland Requirement (14-90)
Minimum Lot Size	13,249 Sq ft	No minimum
Street Frontage	233 ft	50 ft
Front Yard Setback	31.28 ft	25 ft
Rear Yard Setback	26.35 ft	25 ft
Side Yard Setback	43.71 ft	20 ft
Max Lot Coverage	13%	35%

**CONDITIONAL USE STANDARDS (14-474)**

*C.2.a The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not significantly greater than would normally occur at surrounding uses or other allowable uses in the same zone.*

**Traffic**

The analysis below indicates a substantial reduction in the number of vehicle trips generated.

Current Residential use trip generation (Institute of Transportation Engineers-Single Family Detached Housing)

Weekday: 9.57 vehicle trips  
 Saturday: 10.08 vehicle trips  
 Sunday: 8.77 vehicle trips



Proposed use trip generation (Institute of Transportation Engineers-Office Building, Guests Only)

Weekday: 1.17 vehicle trips  
Saturday: 1.01 vehicle trips  
Sunday: 0.43 vehicle trips

#### **Hours of Operation**

The proposed use will operate between the hours of 8 am to 5 pm Monday through Friday. Weekend use would be minimal.

#### **Expanse of Pavement**

There are no planned changes to the existing expanse of pavement which includes a 21' wide by 76' long driveway and a 48 SF brick patio.

#### **Required Parking**

Per proposed Cheverus High School policy, the employees working at 235 Ocean Avenue will continue to park at the main campus parking as they do now. The existing driveway would be used for off-street guest parking only. Currently, the departments being considered for relocation to the property receive on average a cumulative total of 2 guests per day for a period of 90 minutes each.

Offices; professional and public buildings: 1 parking space per 400 SF [14-332 (j)] 1794 SF/400 SF=5 spaces.

*C.2.b The proposed use will not create unsanitary or City of Portland Land Use Code of Ordinances Chapter 14 Sec. 14-474 Rev.5-5-2014 14-649 harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter.*

#### **Noise**

The proposed office use will be limited to interior use of the premise with ordinary office activity and noise generation during normal business hours of operation. No adverse or harmful noise conditions will be generated by the proposed conditional use.

#### **Glare**

There are no proposed changes to the lighting that exists at the property. It is anticipated that there will be limited or no evening activity. No adverse or harmful glare conditions will be generated by the proposed conditional use.

#### **Dust**

The proposed office use will be limited to interior use of the premise with ordinary office activity. No dust will be generated by the proposed conditional use.



### **Sewage Disposal**

The current facility is connected to city water and sewer. The analysis below indicates a significant reduction in the estimated quantity of sewage.

Estimated current residential use (State of Maine Subsurface Wastewater Disposal Rules 10-144 Chapter 241)

270 gallons per day (GPD)

Proposed Office use

72 gallons per day (GPD)

### **Air emissions**

The facility is heated by an oil fired furnace. There is a fireplace in the living room. The EPA estimates approximately 1 metric ton of CO<sub>2</sub> emissions for each 100 gallons of fuel burned. Utilizing the house as an office will burn less fuel than as a residence as it will not be occupied at night when the heating demands are greater. We estimate the residential use at approximately 1000 gallons of oil per year with 10 metric tons of CO<sub>2</sub>. This is greater than the projected 900 gallons of oil per year with 9 metric tons of CO<sub>2</sub> if the property is converted to office use.

### **Odor**

The proposed office use will be limited to interior use of the premise with ordinary office activity. No adverse or harmful odors will be generated by the proposed conditional use.

### **Lighting**

There are no proposed changes to the lighting that exists at the property. It is anticipated that there will be limited or no evening activity. No adverse or harmful lighting conditions will be generated by the proposed conditional use.

### **Litter**

The proposed office use will not create conditions that would produce litter. Trash will be stored within the building and removed on a routine basis by school maintenance staff.

- C.2.c The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.*

There are no proposed changes to the structure or grounds of the property. The landscaping including screen hedges, foundation plantings and mature trees will be maintained.



**CONDITIONAL USE STANDARDS R-3 ZONE (14-88)**

(c)a *In the case of expansion of existing such uses onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas*

Cheverus High School is efficiently utilizing its existing site and buildings as demonstrated below. The 70% site utilization is considerably high in the R-3 zone. The school has been sensitive to maintain appropriate buffers at abutting residential neighborhoods. In this spirit, the school is proposing to relocate department office uses that will be compatible in the context of the property at 235 Ocean Avenue and not impact or encroach into the adjacent residential areas. These administrative offices are interior functions with limited guest traffic.

There will be no physical encroachment into established residential area as there will be no changes to building footprint, driveway, landscaping, and exterior building features.

**Site Utilization**

The Cheverus main campus accommodates 590 students on 24 acres with the following utilization:

	Area (SF)	Area (Acres)
Main Campus Lot Size	1,048,700	24.07
Buildings	62,200	1.43
Athletic Fields	478,700	10.99
Parking and Drives	186,200	4.27
Stormwater Treatment	7,600	0.17

Coverage: 70%

Stream Protection Zone: 75 Ft Setback from High Water Line from Berry Bk

Shoreland Protection Zone: 250 Ft Setback from High Water Line

Maine Department of Education Secondary School Site Size Guideline: 30 acres plus 1 acre for every 100 students.



### **Building Utilization**

Photos submitted with the initial application demonstrate the need for space that cannot be accommodated in existing spaces. As with the site, Cheverus has a high building utilization. The need for spaces that directly serve students has necessitated finding available room to accommodate various administrative departments. This has led to the condition of converting storage and support spaces into offices. These spaces do not have access to natural light or ventilation. Upon relocation of these offices to 235 Ocean Avenue, the existing rooms will be reconverted back to storage, utility and support functions.

- (c)b *The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter*

The use of 235 Ocean Avenue for office functions does not constitute a significant displacement or conversion of a residential use. This is a single residence on a property that is bordered on two sides by public streets and one side by the Cheverus main campus.

- (c)c *In the case of a use or use expansion which constitutes a combination of the above listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative*

Not Applicable

- (c)d *Article V (site plan) sections 14-522 and 14-523 notwithstanding, in the case of places of assembly the proposed use shall be subject to the requirements of article V (site plan) of this chapter*

Not Applicable

# CHEVERUS

Academic Excellence in the Jesuit Tradition

**Introduction:** Cheverus High School is currently under contract with the owners of 235 Ocean Avenue in Portland with the sale pending approval of the School's Board of Trustees scheduled to close on November 30, 2015. Both the School and 235 Ocean Avenue are situated in an R-3 zone. A portion of the garage for the residence and the driveway (for which an easement has been granted) sits on School property adjacent to the south auxiliary parking entrance to the School.

Given the Planning Board's calendar for conditional use review, we are submitting a contingent (upon successful closing) application for two (2) possible future uses:

- 1) **Use 1:** As an "as is" single family residence that would be used to house in the future: a Jesuit (priest) President, a lay President and Family (if applicable) a lay Principal and Family (if applicable), or to rent to a single family and
- 2) **Use 2:** As an "as is" single family residence for office space for departments under space constraints on campus.

**Location:** at the corner of Pya Road and Ocean Avenue adjoining the south auxiliary entrance to the campus

