



J-0096-1
April 3, 2015

Ms. Barbara Barhydt, Development Review Manager
City of Portland Planning Division
389 Congress Street
Portland, ME 04101

Re: **Preliminary Site Plan Development Review and Conditional Use Applications
Proposed Neighborhood Center – 1342 Congress Street**

Dear Ms. Barhydt:

On behalf of the Jewish Community Alliance of Southern Maine we are pleased to submit the following information relative to a Preliminary Site Plan Development Review and Conditional Use Application:

Level III Site Plan Development Review

- Level III Preliminary Site Plan Development Review Application form.
- Check in the amount of \$750.00 made payable to the City of Portland for the Site Plan Development Review Application fee.
- ALTA/ASCM Land Title Survey, dated December 31, 2014
- Site Plans dated April 3, 2015
- Drainage Study dated April 3, 2015
- Purchase and Sales Agreement dated December 9, 2014
- Letter providing evidence of financial capacity dated April 2, 2015
- Traffic Memorandum dated March 19, 2015
- Letter of Endorsement from Charter Westgate, LLC dated April 2, 2015
- Fire Department Site Review Checklist

Conditional Use Review Application

- Conditional Use Review Application form.
- Check in the amount of \$100.00 made payable to the City of Portland for the Conditional Use Review Application fee.

In addition to the electronic submission, a hardcopy of the complete submission package with payment for the application fees will be sent to the Building Inspections Office via US Mail as required.

Project Description

The proposed project will be constructed on a previously developed parcel identified as Map 191 B-16 & 17, which is located in the R-5 Residential Zoning District. Prior to closing in 2013, the land was in use by St Patrick's Catholic Church.

The proposed project consists of the construction of a (1) story, 19,300 SF Neighborhood Center with associated site improvements that include a surface parking lot, stormwater management system, utilities, site lighting, and landscaping. The existing building and associated site features will be demolished in accordance with conditions set forth by the seller. The proposed project will disturb approximately 85,000 SF of the site and result in



12,500 SF of additional impervious area. The proposed stormwater management system has been designed in accordance with the City of Portland Technical Manual and serves to minimize the impacts of the additional impervious area. A Drainage Study has been enclosed with this submission.

The existing project site has a shared access driveway with Westgate Plaza, which will be re-constructed as part of the proposed project. The Owner of Westgate Plaza, Charter Westgate, LLC, has provided a letter of authorization to the Applicant that demonstrates their willingness to formalize the driveway connection with an easement, which is currently being negotiated.

Zoning Description

On February 25, 2015, the Applicant met with the City of Portland Staff for a pre-application meeting. Based on feedback from the City it was determined that the proposed uses are allowed in the R-5 Residential Zone and are classified under the Institutional Uses in Section 14-118 of the Land Use Code. A portion of the building that is less than 10,000 SF will be used as a neighborhood center, which is included in the definition of a place of assembly under Section 14-118 of the Land Use Code. The remaining portion of the proposed building will be used for pre-school/daycare programs, which are also allowed with conditional use approval.

The following addresses the Standards for set forth by Section 14-474(3)(c)(2) of the City of Portland Land Use Code for Condition Use:

- 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 substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and*

A Trip Generation analysis was prepared and has been included with this submission. Based on this analysis, it is anticipated that the neighborhood center will generate fewer trips than the former Catholic Church overall and during peak periods. The number of parking spaces proposed meets the minimum amount required.

- B. *The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and*

It is not anticipated that the proposed uses at this site will create any objectionable or harmful conditions.

- 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.*

The operation of the proposed project is not anticipated to have a greater effect or impact on surrounding properties than the former Church. The layout of the site and proposed landscaping have been designed to minimize effects on surrounding properties by maintaining and improving natural buffers.



Waiver Requests

1. Section 7 of the City of Portland Technical Manual requires a soil survey be completed as part of a Level III Site Plan Development. We are requesting a waiver from this requirement based on soil borings that were completed as part of the Phase I/II Environmental Site Assessment completed at this parcel. This information has been included in the Appendix of the Drainage Study enclosed with this submission.
2. Section 8(B)(c) of the City of Portland Technical Manual requires pre-treatment for runoff directed to filter BMP's. We are requesting a waiver from this requirement due to topographic and geometric constraints of the site. As explained in the Drainage Study, to mitigate any potential impacts from the waiver request, the proposed underdrained soil filter has been designed to completely treat and detain the 2-year and 10-year 24-hour storms, which is a larger volume than required by Section 8(B)(b).

We look forward to working with the City of Portland on this project. Please don't hesitate to call if you have any questions.

Very Truly Yours,

TIGHE & BOND, INC


Bradlee Mezquita, P.E.
Vice President


Greg Halsey
Staff Engineer

Enclosures

Cc: Steve Brinn, JCA (by email)
Charles E. Miller, Esq. Bernstein Shur (by email)
Mark Lee, Harriman (by email)

