



## Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department  
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level II: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

### Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

The Land Use Code (including Article V), the Technical Manual, and the Design Manual are available on the City's web site at <http://www.portlandmaine.gov/planning/default.asp>

#### **Planning Division**

Fourth Floor, City Hall  
389 Congress Street  
(207) 874-8721 or 874-8719

#### **Office Hours**

Monday thru Friday  
8:00 a.m. – 4:30 p.m.

**PROJECT NAME:** 421 Warren Avenue Commercial Complex

**PROPOSED DEVELOPMENT ADDRESS:**

421 Warren Avenue, Portland, Maine

**PROJECT DESCRIPTION:**

New construction of a single level, multi-unit commercial complex consisting of 6 units.

**CHART/BLOCK/LOT:** Map 303/Lot A010  
Map 304/Lot B028

**PRELIMINARY PLAN** 02/12/2014 (date)  
**FINAL PLAN** 04/21/2014 (date)

**CONTACT INFORMATION:**

<b>Applicant – must be owner, Lessee or Buyer</b> Name: PH Warren Avenue, LLC c/o Peter F. Holmes Business Name, if applicable: Address: 401 Warren Avenue City/State : Portland, ME Zip Code: 04101	<b>Applicant Contact Information</b> Work # (207) 878-4496 Home# Cell # (207) 347-3398 Fax# e-mail: dick\harbour@maine.rr.com
<b>Owner – (if different from Applicant)</b> Name: SAME AS ABOVE Address: City/State : Zip Code:	<b>Owner Contact Information</b> Work # SAME AS ABOVE Home# Cell # Fax# e-mail:
<b>Agent/ Representative</b> Stephen Bushey, P.E. Name: Fay, Spofford & Thorndike Address: 778 Main Street, Suite 8 City/State : South Portland, ME Zip Code: 04106	<b>Agent/Representative Contact information</b> Work # 207-775-1121 Cell # 207-756-9359 e-mail: sbushey@fstinc.com
<b>Billing Information</b> Name: PH Warren Avenue, LLC c/o Peter F. Holmes Address: 421 Warren Avenue City/State : Portland, ME Zip Code: 04101	<b>Billing Information</b> Work # (207) 878-4496 Cell # (207) 347-3398 Fax# e-mail: dick\harbour@maine.rr.com

<b>Engineer</b> Stephen Bushey, P.E. Name: Fay, Spofford & Thorndike Address: 778 Main Street, Suite 8 City/State : South Portland, ME Zip Code: 04106	<b>Engineer Contact Information</b> Work # 207-775-1121 Cell # 207-756-9359 Fax# 207-879-0896 e-mail: sbushey@fstinc.com
<b>Surveyor</b> Name: Nadeau Land Surveys Attn: Jim Nadeau Address: 918 Brighton Avenue City/State : Portland, ME Zip Code: 04102	<b>Surveyor Contact Information</b> Work # (207) 878-7870 Cell # Fax# (207) 878-7871 e-mail: jim@nadeaulandsurveys.com
<b>Architect</b> Biskup Construction Name: Attn: Jim Biskup Address: 16 Danielle Drive City/State : Windham, ME Zip Code: 04062	<b>Architect Contact Information</b> Work # 207-892-9800 Cell # Fax# (207) 892-9895 e-mail: jim@biskupconstruction.com
<b>Attorney</b> Name: NOT APPLICABLE Address: City/State : Zip Code:	<b>Attorney Contact Information</b> Work # Cell # Fax# e-mail:

**APPLICATION FEES:**

**Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)**

<b>Level III Development (check applicable reviews)</b> <input checked="" type="checkbox"/> Less than 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000) <input type="checkbox"/> 100,000 – 200,000 sq. ft. (\$2,000) <input type="checkbox"/> 200,000 – 300,000 sq. ft. (\$3,000) <input type="checkbox"/> over \$300,00 sq. ft. (\$5,000) <input type="checkbox"/> Parking lots over 11 spaces (\$1,000) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)  <b>Plan Amendments (check applicable reviews)</b> <input type="checkbox"/> Planning Staff Review (\$250) <input type="checkbox"/> Planning Board Review (\$500)  The City invoices separately for the following: <ul style="list-style-type: none"> <li>• Notices (\$.75 each)</li> <li>• Legal Ad (% of total Ad)</li> <li>• Planning Review (\$40.00 hour)</li> <li>• Legal Review (\$75.00 hour)</li> </ul> Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.	<b>Other Reviews (check applicable reviews)</b> <input type="checkbox"/> Traffic Movement (\$1,000) <input checked="" type="checkbox"/> Stormwater Quality (\$250) <input type="checkbox"/> Subdivisions (\$500 + \$25/lot) # of Lots ___ x \$25/lot = _____ <input type="checkbox"/> Site Location (\$3,000, except for residential projects which shall be \$200/lot) # of Lots ___ x \$200/lot = _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Change of Use <input type="checkbox"/> Flood Plain <input type="checkbox"/> Shoreland <input type="checkbox"/> Design Review <input type="checkbox"/> Housing Replacement <input type="checkbox"/> Historic Preservation
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**APPLICATION SUBMISSION:**

1. All site plans and written application materials must be submitted electronically on a CD or DVD with each plan submitted as separate files, with individual file names (see submittal requirements document attached).
2. In addition, one (1) paper set of the plans (full size), one (1) paper set of plans (11 x 17), paper copy of written materials, and the application fee must be submitted to the Planning Division Office to start the review process.

The application must be complete, including but not limited to the contact information, project data, application checklists, wastewater capacity, plan for fire department review, and applicant signature. The submissions shall include one (1) paper packet with folded plans containing the following materials:

1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:
  - a. Application form that is completed and signed.
  - b. Cover letter stating the nature of the project.
  - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
3. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
4. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
5. One (1) set of plans reduced to 11 x 17.



**Refer to the application checklist for a detailed list of submission requirements.**

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site <http://www.portlandmaine.gov/citycode/chapter014.pdf>

**APPLICANT SIGNATURE:**

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Level II Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 
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Date: 2/4/14

**Subject: 421 Warren Avenue Multi Unit Commercial Building  
Agent Authorization Letter**

To Whom It May Concern:

PH Warren Avenue, LLC has retained Fay, Spofford & Thorndike, LLC to prepare requisite local, state and federal permit applications for the above referenced project. FST is authorized to act as an agent for PH Warren Avenue, LLC in matters related to these permits.

Sincerely,

Peter Holmes 

owner  
Title

## PROJECT DATA

**The following information is required where applicable, in order to complete the application.**

<b>Total Area of Site</b>	409,000	sq. ft. +/- *
<b>Proposed Total Disturbed Area of the Site</b>	74,809	sq. ft. +/-
If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland		
<b>Impervious Surface Area</b>		
Impervious Area (Total Existing)	0	sq. ft.
Impervious Area (Total Proposed)	56,252	sq. ft.
<b>Building Ground Floor Area and Total Floor Area</b>		
Building Footprint (Total Existing)	0	sq. ft.
Building Footprint (Total Proposed)	25,040	sq. ft.
Building Floor Area (Total Existing)	0	sq. ft.
Building Floor Area (Total Proposed)	25,040	sq. ft.
<b>Zoning</b>		
Existing	B4	
Proposed, if applicable	B4	
<b>Land Use</b>		
Existing	Undeveloped	
Proposed	6 Unit Multiplex - Commercial	
<b>Residential, If applicable</b>		
# of Residential Units (Total Existing)	0	
# of Residential Units (Total Proposed)	0	
# of Lots (Total Proposed)	0	
# of Affordable Housing Units (Total Proposed)	0	
<b>Proposed Bedroom Mix</b>		
# of Efficiency Units (Total Proposed)	N/A	
# of One-Bedroom Units (Total Proposed)		
# of Two-Bedroom Units (Total Proposed)		
# of Three-Bedroom Units (Total Proposed)		
<b>Parking Spaces</b>		
# of Parking Spaces (Total Existing)	0	
# of Parking Spaces (Total Proposed)	36	
# of Handicapped Spaces (Total Proposed)	2	
<b>Bicycle Parking Spaces</b>		
# of Bicycle Spaces (Total Existing)	0	
# of Bicycle Spaces (Total Proposed)	2	
<b>Estimated Cost of Project</b>	\$1.5 million	

\*Part of broader 48.71 acre parcel - Applicant is seeking to divest approximately 40 acres of remaining land to City of Portland.

<b>PRELIMINARY PLAN (Optional) - Level III Site Plan</b>			
<b>Applicant Checklist</b>	<b>Planner Checklist</b>	<b># of Copies</b>	<b>GENERAL WRITTEN SUBMISSIONS CHECKLIST</b>
X		1	Completed Application form
X		1	Application fees
X		1	Written description of project
X		1	Evidence of right, title and interest
N/A		1	Evidence of state and/or federal approvals, if applicable
X		1	Written assessment of proposed project's compliance with applicable zoning requirements
X		1	Summary of existing and/or proposed easement, covenants, public or private rights-of-way, or other burdens on the site
N/A		1	Written requests for waivers from site plan or technical standards, if applicable.
X		1	Evidence of financial and technical capacity
N/A		1	Traffic Analysis (may be preliminary, in nature, during the preliminary plan phase)
<b>Applicant Checklist</b>	<b>Planner Checklist</b>	<b># of Copies</b>	<b>SITE PLAN SUBMISSIONS CHECKLIST</b>
X		1	Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
X		1	<b>Preliminary Site Plan including the following: (information provided may be preliminary in nature during preliminary plan phase)</b>
X			Proposed grading and contours;
X			Existing structures with distances from property line;
X			Proposed site layout and dimensions for all proposed structures (including piers, docks or wharves in Shoreland Zone), paved areas, and pedestrian and vehicle access ways;
X			Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);
X			Preliminary infrastructure improvements;
X			Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;
N/A			Location of significant natural features (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features) located on the site as defined in Section 14-526 (b) (1);
N/A			Proposed buffers and preservation measures for significant natural features, as defined in Section 14-526 (b) (1);
X			Location , dimensions and ownership of easements, public or private rights of way, both existing and proposed;
X			Exterior building elevations.

<b>FINAL PLAN - Level III Site Plan</b>			
<b>Applicant Checklist</b>	<b>Planner Checklist</b>	<b># of Copies</b>	<b>GENERAL WRITTEN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)</b>
X		1	* Completed Application form
X		1	* Application fees
X		1	* Written description of project
X		1	* Evidence of right, title and interest
X		1	* Evidence of state and/or federal permits
X		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
X		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
X		1	* Evidence of financial and technical capacity
X		1	Construction Management Plan
N/A		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
X		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
X		1	Stormwater management plan and stormwater calculations
N/A		1	Written summary of project's consistency with related city master plans
X		1	Evidence of utility capacity to serve
X		1	Written summary of solid waste generation and proposed management of solid waste
X		1	A code summary referencing NFPA 1 and all Fire Department technical standards
X		1	Where applicable, an assessment of the development's consistency with any applicable design standards contained in Section 14-526 and in City of Portland Design Manual
X		1	Manufacturer's verification that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.



Applicant Checklist	Planner Checklist	# of Copies	<b>SITE PLAN SUBMISSIONS CHECKLIST</b> <b>(* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)</b>
X		1	* Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
X		1	<b>Final Site Plans including the following:</b>
X			Existing and proposed structures, as applicable, and distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone);
X			Existing and proposed structures on parcels abutting site;
X			All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;
X			Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;
X			Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved areas, sidewalks;
X			Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;
X			Existing and proposed public transit infrastructure with applicable dimensions and engineering specifications;
X			Location of existing and proposed vehicle and bicycle parking spaces with applicable dimensional and engineering information;
X			Location of all snow storage areas and/or a snow removal plan;
X			A traffic control plan as detailed in Section 1 of the Technical Manual;
X			Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);
X			Location and proposed alteration to any watercourse;
X			A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;
X			Proposed buffers and preservation measures for wetlands;
X			Existing soil conditions and location of test pits and test borings;
X			Existing vegetation to be preserved, proposed site landscaping, screening and proposed street trees, as applicable;
X			A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;
X			Grading plan;
X			Ground water protection measures;
X			Existing and proposed sewer mains and connections;

- Continued on next page -

X		Location of all existing and proposed fire hydrants and a life safety plan in accordance with Section 3 of the Technical Manual;
X		Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets;
X		Location and dimensions of off-premises public or publicly accessible infrastructure immediately adjacent to the site;
X		Location and size of all on site solid waste receptacles, including on site storage containers for recyclable materials for any commercial or industrial property;
X		Plans showing the location, ground floor area, floor plans and grade elevations for all buildings;
X		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
X		A note on the plan identifying the Historic Preservation designation and a copy of the Application for Certificate of Appropriateness, if applicable, as specified in Section Article IX, the Historic Preservation Ordinance;
X		Location and dimensions of all existing and proposed HVAC and mechanical equipment and all proposed screening, where applicable;
X		An exterior lighting plan in accordance with Section 12 of the Technical Manual;
X		A signage plan showing the location, dimensions, height and setback of all existing and proposed signs;
X		Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.