

TELEPHONE MEMO

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Date	March 16, 2016	Project Name	235 Presumpscot St. – Dunham Group
Between	Ann Machado (City of Portland) Mark G. Johnson, ASLA (SMRT)	Project No.	15105
Subject	NAPA Auto Parts Retail Use in IM Zone		

SMRT submitted a letter and site plan form (for information) to Barbara Barhydt, Development Review Services Manager for the City of Portland, concerning renovation and tenant fit-up plans for buildings at the above-referenced location. In that letter, Mark asked if a small amount of retail space for NAPA Auto Parts (new tenant) would be considered an “ancillary” use and therefore allowable in the IM (Industrial – Moderate Impact) zone in accordance with city code. Barbara informed Mark in telephone conversation that this was a zoning matter (not site plan) and she would forward the information to Ann Machado, Zoning Specialist, for consideration. Ann called Mark after receipt and review of the information to discuss.

1. When considering whether a use is “ancillary”, Zoning looks at the following questions:
 - a. *Is the use related to the principal use?* In the NAPA case the answer is yes; the retail use will involve sale of automotive products, which relates directly to the principal use of automotive products warehousing and distribution.
 - b. *How much space relative to the principal use is required?* In the NAPA case, the answer is well less than half the total at approximately 29% (though there is no set requirement, this was satisfactory).
 - c. *How much revenue will be generated relative to the principal use?* Again, there is no set requirement, but in the NAPA case it is approximately 13%, which is satisfactory.
2. Given the above, Ann determined that the small retail component proposed for the NAPA facility is ancillary and therefore acceptable in the zone.
3. At the time of submission for Building Permit, a Change of Use Application will need to be completed because the retail use is a change from the former warehouse use. At the time of submission for Certificate of Occupancy the Owner will also need to document the actual amount of retail space created.
4. This memo is to serve as documentation of the zoning determination made by the city. An official letter of determination may be obtained from the city for a fee, if desired.

Cc: Joe Cooper (Cooper Properties, Inc.)