



March 8, 2016  
Job No.: 15105

Barbara Barhydt  
Development Review Services Manager  
Planning Division  
389 Congress Street 4th Floor  
Portland, ME 04101

Re: 235 Presumpscot Street  
Portland, Maine  
Request for Determination

3/11/16 - ~~15105~~

- told Mark that  
what he outlined would  
fit ancillary retail.  
Needs to do a change of  
use for tenant fit up permit  
to establish retail use.  
ABH

Ann- I spoke w/ Mark  
and he would like to  
talk with you on whether  
Napa is a permitted  
use. He isn't seeking  
a formal determination  
at this time. Could  
you please contact  
him - Thanks

*Barbara*  
421-1200

Dear Ms. Barhydt,

On behalf of the property owner and our client, Cooper Properties, Inc., we request a determination by the city regarding use of the above-referenced property. Though all work being done at the site is interior – renovation, fit-up, etc. – we attach for your information the city standard pre-application form.

Project Background and Description

Cooper Properties is in the process of renovating and remodeling the three existing buildings on the approximately 2.5 acre site to accommodate new tenants. No building additions or site modifications other than accommodating of entries and a new sanitary sewer connection are proposed. The front building closest to Presumpscot Street is being fit up for occupation by Napa Auto Parts who will relocate their Marginal Way operation, which is principally a warehouse with a small, subsidiary retail component at the front end. This profile is proposed for the Presumpscot site which offers better transportation access and increased warehousing space (a second floor will be removed to allow high-bay storage). The total space is approximately 7,120 sf with approximately 2,085 sf of it being allocated for the retail component.

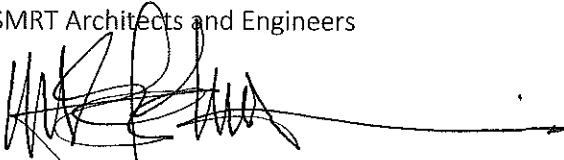
Zoning

The Presumpscot property lies in the I-M – Industrial Moderate impact zone. While the primary proposed use for the Napa facility is warehousing / distribution, both allowed uses in the zone, retail is not unless it is “ancillary to a permitted use” (Section 14-429). Because the primary function of the Presumpscot facility will be the warehousing and distribution of Napa automotive products (generating approximately 87% of the facility revenue), we believe that the continuation of a small retail function (generating approximately 13% of the facility revenue) as is currently done at their Marginal Way location conforms with the Ordinance as an “ancillary” use. Further, given that a number of the uses in the area have similar front-end customer interface functions, the proposed use is not inconsistent with the zone nor will it create undue environmental or other impacts to the surrounding area (re: Section 14-428 Performance based uses).

Barhydt  
March 8, 2016  
Page 2 of 2

Please review the information provided and let us know if our understanding and interpretation of the Ordinance is correct. If you have questions or need further information at this time, please don't hesitate to contact us.

Sincerely,  
SMRT Architects and Engineers



Mark G. Johnson, ASLA  
Senior Landscape Architect  
Maine Registered Landscape Architect

144 Fore Street  
Portland, ME 04101  
P 207.772.3846 f 207.772.1070 email: mjohnson@smrtinc.com

Cc: Joe Cooper (Cooper Properties, Inc.)  
JLH, file 05105/241