



PLANNING BOARD REPORT PORTLAND, MAINE

502 Deering Center (502 Stevens Avenue)
Recording Plat Amendment
2016-290
Denis Lachman, Applicant

Submitted to Portland Planning Board
Public Hearing Date: February 27, 2018

Prepared by: Matthew Grooms, Christian Roadman
Date: February 21, 2018

I. INTRODUCTION

Developer Denis Lachman's mixed-use infill development at 502 Stevens Avenue (immediately east of Lincoln Middle School at the intersection with Hartley Street) requires a recording plat amendment. The project was approved by the Planning Board on March 28, 2017 as a 6-unit residential project with ground floor commercial space. The project will now include 7 residential units, one of which is a ground floor live/work space, and two ground floor commercial spaces.

The proposed plat amendment allows the project to meet federal fair housing requirements while maintaining its previously approved building footprint. On February 13, 2018 the Planning Board recommended adoption of a text amendment to the B-1 and B-1b Neighborhood Business zones spurred in part by this project. That text amendment establishes residential uses as a permitted ground-floor use under set circumstances where active commercial street frontages are maintained, and confirms the established higher residential density for mixed-use projects.

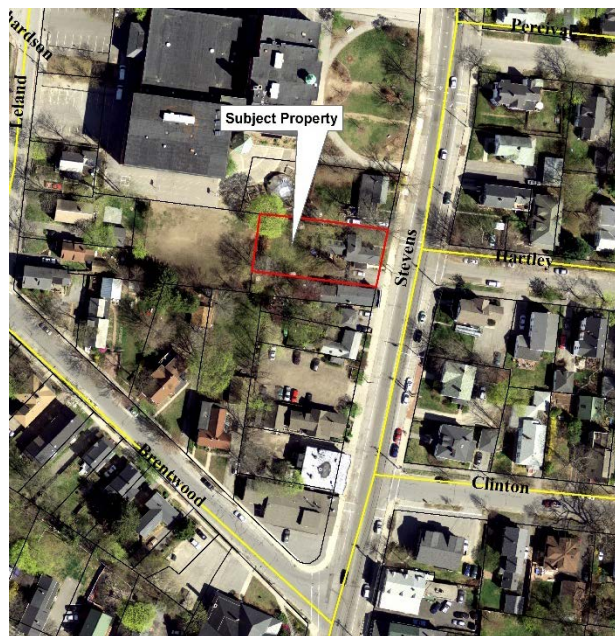


Figure 1: 502 Stevens Avenue Site Location

Other details about the development at 502 Stevens Avenue remain as approved. The development includes a 7,767 sf, three-story mixed-use building, associated pocket park, and 10 surface parking spaces located to the rear of the building. The site is accessed from Stevens Avenue and is within the B-1b zone. The Planning Board reviewed the project for compliance with site plan and subdivision standards, but has not approved the proposed plat amendment.

Noticing: 168 notices were sent to property owners within 500 feet of the site. A legal ad ran on February 19 and 20, 2018 prior to this public hearing. No public comments have been received by the Planning Office.

Applicant: Denis Lachman

Consultant: Don Dostie, Four Points Associates

II. PROJECT DATA

Existing Zoning	Neighborhood Business B-1b
Proposed Development Program	7 Residential Units (Including 1 Live/Work Space), 2 Commercial Spaces
Parcel Size	9,562 sf.
Building Footprint	2,557 sf.
Parking Spaces (on site)	10
Parking Spaces (off-site)	2
Bicycle Parking Spaces	10
Estimated Cost of Project	\$1,046,000

III. BACKGROUND

In December of 2017 planning staff learned that two previously approved and partially constructed projects, including 502 Stevens Avenue, did not comply with federal and state fair housing regulations. These require that all residential buildings constructed after 1991 with four or more residential units are required to provide at least one accessible unit. Site conditions and standards of the B-1b district, particularly restrictions placed on ground-floor residential units, made financially feasible mixed-use projects difficult to implement at the scale permitted and in compliance with fair housing standards.



Figure 2: 502 Stevens Avenue

In response to this identified concern, the City proposed a text amendment to the B-1b zone. This amendment establishes residential uses as a permitted ground-floor use under set circumstances where active commercial street frontages are maintained, and confirms permissible residential density for mixed-use projects. At its Public Hearing on February 13, 2018, the Planning Board recommended approval of the proposed text amendment. It will next be considered at the City Council’s meeting on March 5, 2018.

III. ZONING ANALYSIS

If the B-1b zoning text amendment recommended for approval by the Planning Board is adopted by City Council, the proposed plat amendment will meet zoning requirements.

V. SUBDIVISION

The Planning Board report for the project’s original site plan/subdivision review is attached. The past analysis found the subdivision in compliance with the subdivision standards subject to conditions. The project met all conditions of approval. The addition of one unit is in conformance with all subdivision standards.

VI. PROPOSED MOTIONS**SUBDIVISION**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board reports for the public hearings on March 28, 2017 and February 27, 2018 for application 2016-290 relevant to the subdivision regulations; and the testimony presented at the planning board hearings, the Planning Board finds that the plan [is/is not] in conformance with the subdivision standards of the land use code, subject to the following condition of approval, which must be met prior to the signing of the plat:

1. The recording plat can be released for recording only after the City Council adopts the B-1 and B-1b text amendments recommended by the Planning Board at its February 20, 2018 public hearing.

VII. ATTACHMENTS**PLANNING BOARD REPORT ATTACHMENTS**

1. Planning Board Report (3.28.2017)

PLANS

- Plan 1. Updated 1st Floor Plan
- Plan 2. Front (East) Elevation
- Plan 3. Side (South) Elevation
- Plan 4. Side (North) Elevation
- Plan 5. Rear (West) Elevation
- Plan 6. Subdivision Plat