
Fwd: Munjoy Hill Listening Session 2/26

Jeff Levine <jlevine@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Feb 27, 2018 at 4:04 PM

For Munjoy Hill.

Jeff Levine, AICP
Director
Planning & Urban Development Department
389 Congress Street 4th Floor
Portland, Maine 04101
Phone (207)874-8720
Fax (207)756-8258
<http://www.portlandmaine.gov/planning>
@portlandplan

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From: **Peter Murray** <pmurray@gwi.net>
Date: Tue, Feb 27, 2018 at 3:03 PM
Subject: Munjoy Hill Listening Session 2/26
To: Levine Jeff <jlevine@portlandmaine.gov>
Cc: "Murray Peter L." <pmurray@gwi.net>

Dear Jeff -

It was good to see you last night at the listening session on the Munjoy Hill zoning.

I was not able to stay for the comment session, but provided my comments to Belinda in writing beforehand.

Here they are for your consideration.

Dear Belinda -

Thanks for the heads-up on Monday's listening session.

Although I may be there at the beginning to listen to as much of the background presentation as possible, my comments on what we think are the issues follow in writing. Please feel free to give these as much currency as you think they deserve.

Original Residential Development on Munjoy Hill

Most residential development on Munjoy Hill followed the Great Fire of 1866 and continued into the early 20th century. Most houses from this era are one and two family frame dwellings built on small lots, generally under 10,000 square feet. In the early 20th century a number of "3-deckers" were added. Outside of schools, there were relatively few larger buildings. During and right after WWII some row-house developments were added on the East Hill. The 1960s and 70s saw the building of the Portland House and "Promenade East", large 10+ story apartment blocks and "Munjoy South" a subsidized housing project on the South Hill. All of these were more or less at odds with the traditional architecture of the Hill.

Although the Hill was a vibrant middle-class residential area up through the mid '40s, following WWII, the area deteriorated. Many single family and two family houses were converted into multiple apartments. Rents and maintenance sagged. Families who could afford it moved out. Drugs and crime moved in. By the 1970s the Hill was considered a substandard residential area with low rents, deteriorated properties and high crime.

Starting in the late 1990s and accelerating since then, the Hill has "come back" as a residential area, not so much for families, but for young professionals and for older "empty nesters". Many of the older properties have been rehabilitated and restored, single family houses have been built on empty lots, and a modest development of multi-family structures

has occurred. Property values have sharply risen, restaurants and shops have opened in the business areas, and the Hill has become one of Portland's premier residential areas. There have been a few subsidized "affordable housing" projects, the largest of which is on North Street at Walnut. There has not been any construction of unsubsidized "affordable" housing on the Hill (or, for that matter elsewhere in Portland) for a number of years because construction costs are too high to make such development economically viable.

The attractions of the Hill to its current residents are not only its proximity to Portland's downtown and its views both to the east and the west, but also its amenity as a residential area, including the integrity of its 19th and early 20th century architectural fabric and feeling of neighborhood.

Up until 2015, land use and development on the Hill was mainly regulated by the R6 zoning ordinance. That ordinance included modest setback requirements for side and rear yards, height limitations to 45 feet, a requirement to provide off street parking, and reasonable lot coverage, square footage per unit, and minimum lot size. A special program permitted development on undersized lots subject to design criteria and some design oversight by the planning staff.

The 2015 Changes to the R-6.

In 2015 the Portland Planning Board and City Council adopted amendments in the R6 zoning ordinance aimed at "increased density" in Portland's already most dense residential area. It appears that this was based on the hope that some of the small vacant lots remaining on the Hill could be improved with affordable housing. Everything was loosened up. Side yards were reduced effectively to near zero, lot coverage was increased, lot area per unit was decreased, minimum lot size was decreased, and parking was no longer necessary for the first three units per lot.

The result of this was not any affordable housing. Construction costs continue to preclude construction of affordable housing without public subsidy. However certain developers were able to take advantage of the strong desire of retirees to live on the hill. They have built and are proposing to build higher end condo projects that take full advantage of the liberalized regulation and cram ungainly and oversized blocks on small Munjoy Hill lots. In many cases these projects are lucrative enough to justify purchasing existing affordable rental properties and tearing them down for the new condos. Lots that had originally been improved with one or two family houses (perhaps since subdivided into 3 or 4 apartments) are now crammed with 7 or even more condo units without adequate on site parking. Examples include [30 Merrill Street](#), the building on the corner of Waterville and Fore, [5 Cumberland Avenue](#) (under construction), 7 Merrill (under construction), 24 St. Lawrence (proposal), 24 Monument (proposal), corner Willis and Montreal (proposal). In order to include as many units as possible, these structures typically push the envelope of the new R6, extending out to the sidewalk and going four stories up, sometimes with dead parking floors on the bottom, numb blocks that have nothing to do with the neighborhood into which they are shoehorned. Residents and property owners are dismayed by the possibility that the very amenity that attracted them to the Hill will be destroyed by heedless development of this kind of condo.

This state of affairs brought about the Moratorium. We will always be grateful to you for your work on this vital measure.

Where Do We Go from Here?

Here are my recommendations going forward:

- 1) Nothing we do will get any affordable housing built on the Hill (or anywhere else) as long as construction costs are what they are. The only affordable housing that will continue to exist on the Hill will be the existing aging housing stock that can still be rented at affordable rents. Some of this has been lost to demolitions by developers seeking to build high end condos under the liberalized R6.
- 2) The old R6 turns out to have been well suited to conditions on the Hill. It permitted reasonable development of the only kind of building that makes sense on these small lots - single and two family houses of the kind that are there now, with an occasional larger condo project on larger lots. Condo projects under the old R6 are less intrusive, have parking and a scale that suits the neighborhood.
- 3) The closer we can go back to the old R6 on the setbacks, lot coverage, lot size per unit, minimum lot size, parking, the better.
- 4) The quality of many Hill buildings and streetscapes justify a Historic District - precise contours to be determined. Here Landmarks can take a helpful leadership role.
- 5) The parts of the Hill not included in a historic district should have some design protection. One possibility is a conservation district, with less emphasis on historic authenticity, but a sensitivity to maintain scale, size, light and streetscape. The looser the R6 standards, the more important such a district would be. The district could have both special design requirements in the ordinance as well as a review board. Or it could be administered by the planning staff as was the case with the old R6 small lot program.

6) Demolitions of existing Hill structures, particularly those providing rental housing, should be regulated to some degree. Some possibilities include: a) requiring any replacement structure to include affordable units equal to those destroyed; b) limiting replacement structures to footprint of the structure demolished; c) providing a period of repose to permit others to come up with development alternatives to demolition, d) requiring a significant payment for each unit of affordable housing demolished.

The goal should be to facilitate development of the kind and scale that presently exists, including larger structures where the circumstances permit, but to discourage and prevent destructive over-development of the kind mentioned above.

Thanks for reading this. Please feel free to pass it on to whomever you think should have it. Debby and I are eager to be of what help we can in facilitating a transition from the current moratoria to regulation that will serve the neighborhood well for the present and future.

All best wishes,

PLM

Thanks!

PLM

Peter L. Murray
[104 North Street](#)
Portland, ME 04101
pmurray@gwi.net