
Fwd: R-6 Munjoy Hill Neighborhood Conservation Overlay District

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

Wed, May 2, 2018 at 11:41 AM

I think I missed this one. For the Munjoy Hill file.

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

----- Forwarded message -----

From: **Barbara Vestal** <vestal@chesterandvestal.com>
Date: Mon, Apr 23, 2018 at 11:52 AM
Subject: R-6 Munjoy Hill Neighborhood Conservation Overlay District
To: jlevine@portlandmaine.gov, Deb Andrews <DGA@portlandmaine.gov>, Caitlin Cameron <CCameron@portlandmaine.gov>, Christine Grimando <CDG@portlandmaine.gov>
Cc: "Martica S. Douglas" <tica1529@gmail.com>, Maggy W <mawnola@gmail.com>, peter murray <pmurray@gwi.net>, Karen S <karsny@yahoo.com>

Hello Jeff, Deb, Caitlin and Christine,

During a meeting with Jeff on April 18th, he stated his intent to make it clear in the proposed amendments that zoning will control over design review. He stated that if it is the intent to require a proposed development to meet both requirements, that the design standard language needs to be brought into the zoning ordinance and adopted by the City Council as part of the zoning ordinance.

We believe that it is critically important for proposed new development on Munjoy Hill to reflect and be harmonious with the context of the surrounding development. A new structure should not be allowed to build to the zoning ordinance maximum height if that height is not compatible with the context.

Concerned citizens are being told that the design standards will be used to control the scale and impact of new development. But the design standards are not up to that task if they are, by definition, "trumped" by zoning maximums. That would tie the hands of Boards in applying design standards to critical issues of scale and mass.

The staff research found that the average building height on Munjoy Hill is 2.4 stories. A proposed maximum height limit of 45' is greatly out of scale with the existing intensity of development. If it is allowed to control, without a consideration of context, it encourages tear downs and rebuilding at a scale that is not respectful of or harmonious with its neighbors. That is not conducive to the vibrant neighborhood and community stability identified as a goal of the City.

To integrate the scale and massing standards of the design standards into the zoning ordinance, the Munjoy Hill Conservation Collaborative and I propose the following amendment to the zoning ordinance as currently proposed (with text changes underlined):

Dimensional Standards

Maximum Height: up to 35'; up to 45' for developments of 3 units or more on a lot over 2000 sf., or for developments that include at least one "workforce housing unit for rent" or "workforce housing unit for sale" with a permanent deed restriction as defined elsewhere in this ordinance, **provided that**, as to each building, the maximum height is allowed only if the building meets both of the following requirements: (1) the scale and form of the building contribute to and are compatible with the predominant character-defining architectural features of the neighborhood, and (2) the massing and roof forms of the building reflect and reinforce the traditional building character of the neighborhood through a well composed form, shape and volume, with compliance with these requirements (1) and (2) to be measured in accordance with the R-6 Infill Development Design Principles & Standards, Principle A, Overall Context and Standard A-1, and Principle B, Massing, and Standards B-1 and B-2, which Standards A-1, B-1 and B-2, the associated Purpose statement and Principle A and B Explanatory Notes, are incorporated by reference as if fully set forth herein.

This has the effect of pulling three design standards into the zoning ordinance so that being approved for maximum height is conditional upon also being able to meet these design standards. This proposed amendment is based upon the existing design standards, and merely repeats principles A and B and identifies how they are to be measured. If a city attorney recommends a less verbose way to achieve the same result, I am open to considering that.

Regards,

Barbara

--

Barbara A. Vestal, Esq.
Chester & Vestal, PA
[107 Congress Street](#)
[Portland, Maine 04101](#)
(207) 772-7426 - phone
(207) 761-5822 - facsimile

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this message in error, please notify us immediately by telephone and e-mail.