Housing & Economic Development Committee Meeting
Tuesday, July 16, 2024 at 5:30 PM

MEMBERS
Councilor Pious Ali, Chair
Councilor Roberto Rodríguez
Councilor Regina Phillips
Councilor Kate Sykes

To submit written public comment on an agenda item, email edd@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Housing & Economic Development meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

REMOTE ACCESS INFORMATION

The Housing & Economic Development Committee will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the Agenda Center following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:
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1. **Review and accept Minutes of previous meeting held on July 2, 2024.**

   a. See attached draft meeting Minutes.

2. **Presentation of 2023 Annual Housing Report (City Staff).**

   a. See attached 2023 Annual Housing Report.

3. **Policy Discussion: Parklet/Outdoor Dining Program (Councilor Roberto Rodriguez)**

   a. The Committee will discuss potential policy changes to the existing City of Portland Outdoor Dining program. If a majority of the Committee supports a particular policy proposal, Corporation Counsel will work with staff and Committee members to create draft ordinances for the Committee's consideration.

      See attached Memorandum and backup.

4. **(Public Comment) Review and recommendation to the City Council regarding funding requests received from the Affordable Housing Development and Tax Increment Financing application for the following projects (NOTE: Pursuant to 1 M.R.S.A. 405(6)(C) and 5 M.R.S.A. 13119-A, the Committee may go into executive session to discuss negotiations and provide guidance to staff) (Mary Davis):**

   a. 42 Atlantic Street - Affordable Housing Tax Increment Financing Development District and Credit Enhancement Agreement. See attached Memorandum.

   b. Amendment to the Bayside TIF District to remove 197 and 207 Oxford Street from the District to be its own free-standing Affordable Housing TIF District. NOTE: See companion item next on the Agenda.

   c. Avesta 197 and 207 Oxford Street - Affordable Housing Tax Increment Financing Development District and Credit Enhancement Agreement and $650,000 Affordable Housing Development Funding. See attached Memorandum.

   d. Public Comment Received - 197/207 Oxford St AHTIF

5. **Communication Item: 2024 Quarter 2 Rent Control Update (Staff Memo)**

   a. The Permitting and Inspections Department provides HEDC with a quarterly update on the administration of the City of Portland Rent Control Ordinance.

      See attached Quarter 2 Update.

Next Meeting Date: August 20, 2024

Minutes

Remote Housing and Economic Development Committee

July 2, 2024

NOTE: This meeting was held via Zoom and can be viewed at this link: http://www.portlandmaine.gov/1695/Economic-Development-Committee These Minutes provide a record of those in attendance, general discussion taking place, and motions made.

A remote meeting of the Housing and Economic Development Committee (HEDC) of the Portland City Council was held on Tuesday, July 2, 2024, at 5:30 p.m. via Zoom. Present from the HEDC were Chair Pious Ali, and members Regina Phillips, Roberto Rodriguez, and Kate Sykes. Present from the City staff were Housing and Economic Development Department Director Greg Watson, Housing and Community Development Division Director Mary Davis, Corporation Counsel Michael Goldman, Director of Permitting and Inspections Jessica Hanscombe, and Housing Program Manager Victoria Volent.

Item #1: Review and accept Minutes of previous meeting held on June 25, 2024

On motion made by Councilor Rodriguez, seconded by Councilor Phillips, the Committee voted 4-0 to accept the Minutes.

Item #2: Review and Recommendation to the Finance Director and Finance Committee regarding FY2025 TIF Funding for Portland Adult Education's continuation of workforce training programs.

Greg Watson introduced this item by noting the import workforce training provided by Portland Adult Education (PAE) to 135 unique students representing 28 distinct countries of origin with 96% identified as BIPOC. To continue the Workforce Development Program, PAE is requesting $200,000 in funding from the Downtown TIF District. Staff recommends the HEDC vote to support continued level of funding for FY2025.

Abbie Yamamoto, the Executive Director of PAE was invited to present the outcomes of the FY 2024 Workforce Development Program. Highlights included; ESL instruction (there are over 1,000 people on the waitlist); focus on resume building and interview skills; commercial driver preparation class (very popular class necessary to obtain industry recognized credentials such as Class A and Class B license); and Education Academy (this program provides training for underrepresented groups – multilingual individuals, people with disabilities, and people of color to increase representation among Maine's educator workforce). Past and future training helps develop a workforce that supports the City and regional economy. PAE is requesting the Committee's continued level of funding for FY2025.

The Committee had clarifying questions regarding the offered programs, how funding is used, if PAE partners with area labor unions, the number of class and students assisted with the funding, and space and equipment. The Committee expressed their support of the work undertaken by PAE.

Councilor Ali opened the meeting to public comment. Seeing no one, public comment was closed.

On motion made by Councilor Sykes, seconded by Councilor Phillips, the Committee voted 4-0 to recommend the FY2025 TIF Funding for Portland Adult Education's continuation of workforce training programs.

<u>Item #3: Review and vote on a recommendation to the City Council on proposed amendments to the Short Term Rental Ordinance</u>

Councilor Sykes introduced this item with a summary of revised proposed changes to the

Short Term Rental Ordinance meant to achieve goals outlined in her memo to the Committee.

The Committee held a discussion regarding the proposed changes, the impact of the "five-year rule", adding language to allow the ability to propose amendments by noting the "five-year rule does not apply", enforcement of the ordinance, how complaints are addressed, requiring proof of Homestead Exemption when registering, requiring the City to publicly identify the address of all short term rentals, the registration fee, limiting the number of non-owner occupied mainland short term rentals to no more than 2% of the total number of registered long term rental units on the mainland.

Councilor Ali opened the meeting to public comment.

Raphael Vezina-Audette (784 Ocean Ave) - Concerned regarding the registration requirement of proof of a Homestead Exemption. What happens in the scenario when the timing of receiving a Homestead Exemption does not line up with the STR registration deadline with the City?

Winston Lumpkins- Supports the review of the STR Ordinance by the Council. The prior Council allowed too many STRs and lax enforcement. Supports hosted STR but would like to see all unhosted STRs eliminated.

Erik Mygrant (10 Deering Street) - Asked about the terms of grandfathering. Does not support additional regulations. Can only afford to live in Portland because he rents out a unit for 90 days a year.

Chris Korzen- (28 Hampshire Street) - STR host for several years and owns small business in Portland. Noted the positive impact STRs have on the local economy and provided data from the Maine Office of Tourism. Encouraged the Committee to invite Steve Lyons of the Maine Office of Tourism for his perspective. Supports the review being conducted as STRs are important to the economy, but at the same time does not want to see neighborhoods become Airbnb hotels or illegal operators run amok.

Glen Stoller (64 Clark Street)- Has been a landlord for four years. Hosts two STRs to allow a lower rent for the LTR, and it allows him to stay at home with his children. It is important to balance long term housing with short term rentals. Supports the amendments brought forward. Hopeful for the enhanced monitoring of unregistered units. Does not want to hurt any current license holders and would like to see language included in the amendments to allow anyone with a current license to maintain their license.

Betty Caton- (14 Holly Street)- Has been a STR host since 2018. Thanked Councilor Sykes for her work. Feels the proposals are a very balanced. Noted the extra money generated from her STR supports necessary building maintenance. Imperative grandfathering for all categories. Does not agree with a public listing of all STRs as it could make her unit a target for theft. Current licensees should be protected. Glad to see the Council review policy amendments instead of policy by referendum.

David Finley (52 Fessenden Street)- Owns a three unit property in which two of the units are STRs. Unclear if he would be grandfathered under the proposed amendments. Losing one of the STR units would be a financial burden. Has a question regarding LLC ownership. The money from the STRs is put back into the property and the neighborhood. The people who rent his units are mostly from Maine and Southern Maine.

Adam Steinman (10 Pine Street, 52 Pine Street, and 65 Pine Street) - Supplementing his income with his STRs. Concerned about the impact of the proposed Homestead requirements, as one of his buildings is an LLC. The threat to long term housing is the many hotels buying up land.

Karen Snyder- noted Police don't want to deal with the noise and parties from STRs. People abutting STRs gave up contacting Hanscomb's department and the Police because they knew nothing was going to go on because they knew there are other things going on. The Citizen Self Service portal does not tell how many STR units are registered. Neighbors are concerned with the number of short term renters intruding onto their private property. People who are concerned with maintenance cost also include LTR owners. Would like non-owner occupied STRs removed from the proposal. The original ordinance, which allowed for 300 non-owner occupied STRs, was increased to 400.

Alyssa Giacobbe- (33 Smith Street) - Owns and lives in a triple decker with two STR units. Also has license for LTR for those units as she can't rely on one or the other as there have been times when she could not rent out the LTR unit. Found the Housing Safety office is super helpful. As a sole owner, she could not maintain the building without offering STRs. Something should be done about the housing shortage, but if she could not STR, she does not think she could offer housing to those who need it the most (due to the cost of maintaining the building). Supports regulations.

Michael Webster- (175 Congress Street)- Feels big hotels and local short term rental owners are the ones arguing with each other. Anything the Council can do to support locals is encouraged.

Nick Zaccaro- (64 Whitney Avenue) - Owner of a triple decker with three long term rental units. The rent is below market and he has never hosted a STR. He strongly urges the Committee to eliminate unhosted STR units on the mainland with a sunset provision. Does not support the idea of evicting tenants to replace their housing with STR, but as the waitlist foretells, this is what some landlords are planning to do.

Hunter Letendre (59 Highland Avenue)- Lives in New Hampshire but owns a single family home on Peaks Island which she currently short term rents with the plan to eventually move to Peaks Island. The ability to STR is the only way she can afford to own the property. Peaks Island has existed largely thanks to its tourism. As a real estate professional she feels that, if the few homes removed from the market and made into STR were available for ownership, the expectation they would be filled with families and year round owners is wrong. What is going to happen is Peaks would end up with a lot more empty homes owned by highly wealthy individuals that can afford to have a vacation home which they then use for only one or two weeks a year. Now that they own their property on Peaks Island, they short term rent throughout the summer (which is good for the economy) and are able to visit in the winter. Asked the Council to remember Peaks Island is very different from the mainland.

Woodruff Halsey (90 Prince Avenue and 134 Reed Avenue)- Owns property on Peaks Island and agrees with Hunter that Peaks has a very different economy and very different concerns. Allowing STR is how families can keep cottages in the family for generations as it is a means to pay the property taxes. STR do not deprive people of year round housing. Has two cottages he rents as STR. STRs are good for the economy. Concerned with the proposed limit on the number of STRs allowed on Peaks Island.

Paul Waring (527 Brighton Avenue)- Increase enforcement is key. Important to protect currently law abiding rental hosts. Concerned about the 50% rule. Bought an empty foreclosed triplex which he poured $250,000 into, and it still needs more upkeep. It is only through hosting STRs that he can afford to purchase and maintain the building. Hosting STRs has enabled him to climb out of living paycheck to paycheck. We should welcome all people into the city including tourist who want to spend money. STR users spend lots of money and help support the economy.

Chris – Pleased to see the Council take this up instead of making policy through referendum. Has been a landlord for 25 years and operates four STRs in Portland. STRs help pay for his two son's higher education, and has been used to help subsidize the lower rent he has to charge due to rent control. STR units, if forced to become LTR units, would not add workforce housing units to the market because the market rent would be too high for the typical worker.

Councilor Ali closed the public comment period.

Councilor Rodriguez clarified that even though the Council would be reviewing and discussing the proposed amendments, ultimately any proposed changes would be on the ballot for a citizens' vote. The process is different as it is collaborative, but it is still a referendum vote.

The Committee held a discussing covering topics such as; what percentage (1%/1.5%/2%) of registered long-term rental units on the mainland to recommend to the full Council as a limit to the number of non-owner occupied STR; how often to review the percentage limit on non-owner occupied STRs; public notification of amendments to the STR Ordinance; Section 9-46 of the City Code which prohibits any amendments or repeals to a voter approved referendum unless explicitly stated in the voter-approved ordinance for five years after adoption; Island Short Term Rentals; limitations on the number of Short Term Rentals an individual or entity may register; grandfathering; increasing the registration fees; and violations.

Peter McLaughlin, co-chair of the Short Term Rental Committee for Peaks Island was invited to speak. Prior to the meeting, he had submitted an email to members of the Committee regarding short term rentals on Peaks Island. During the HEDC meeting he provided current

STR registration information, noted that because there are no restrictions on owner versus non-owner occupied STRs, that level of detail is not available, and indicated there is no need to regulate cottages that are not insulated as they could not become long tern housing without the proper upgrades (which represents roughly half of all STRs on Peaks Island).

On motion made by Councilor Sykes, seconded by Councilor Rodriguez, the Committee voted 3-1 (Rodriguez) to recommend to the City Council the proposed amendments to the Short Term Rental Ordinance.

On motion made by Councilor Rodriguez, seconded by Councilor Sykes, the Committee voted 4-0 to recommend adding language to the proposed amendments that the "five-year rule does not apply".

On motion made by Councilor Phillips, seconded by Councilor Sykes, the Committee voted 3-1 (Rodriguez no) to recommend limiting the number of non-owner occupied mainland short term rentals to no more than 1.5% of the total number of registered long term rental units on the mainland.

Item #4: Executive Session: Pursuant to 1 M.R.S.A. 405(6) (C) and 5 M.R.S.A. 13119-A, the Committee will go into Executive Session to discuss negotiations and timeline update for the Lambert Woods South project (165 Lambert Street)

Councilor Ali asked if members if they would like to enter into Executive Session.

On motion made by Councilor Sykes, seconded by Councilor Phillips, the Committee voted 4-0 to recommend entering into Executive Session.

Councilor Ali opened the meeting to public comment- seeing none, Councilor Ali closed public comment.

The Committee entered into executive session at approximately 8:08 p.m.

The Committee voted to adjourn at approximately 8:23 p.m.

Next meeting is July 16, 2024

Respectively submitted, Victoria Volent

2023 HOUSING REPORT PORTLAND, MAINE

CITY OF PORTLAND MAINE

July 2024

Parts I & III prepared by the Department of Planning & Urban Development
Part II prepared by the Department of Housing & Economic Development

The 2023 Housing Report has been prepared for the City Council's Housing & Economic Development Committee. This report is designed to give an overview of housing development activity, funding sources, and projects benefitting from funding subsidies in the 2023 calendar year.

Cover art courtesy of Maddie C., Grade 9, Casco Bay High School

PART I

1. EXISTING HOUSING SNAPSHOT

In 2022, the most recent year for which housing characteristic data is available from the U.S. Census Bureau's American Community Survey (ACS), Portland was reported to contain an estimated 39,405 housing units, an increase of 4,049 units from 2021 ACS estimates. Per the ACS, more than half (58%) of these estimated units were renter-occupied, with the remaining 42% owner-occupied.

According to the ACS estimates, in 2022, the largest percentage of the city's units were found in buildings with three or more units (54%), with a lower share of the housing stock in single-family units (38%) and two-family buildings (8%) (*Figure 1*). The share of multi-family units in the city is more than two times the amount in Cumberland County (24%) and more than three times the percentage for the State of Maine as a whole (15%).

In terms of unit size, the city's units generally trend small; most units in the city (62%) were estimated to contain 0-2 bedrooms in 2022, and another 26% were estimated to contain 3 bedrooms (*Figure 2*). The city has a higher percentage of studio to 2-bedroom units (62%) compared to Cumberland County and Maine overall (both at 44%), with a lower percentage of 3-bedroom units (26%) compared to Cumberland County (36%) and Maine (38%). This mix in unit size reflects Portland's urban context and different demographics compared to the rest of the state.

Figure 1: City of Portland Dwelling Units by Units in Structure (2022)

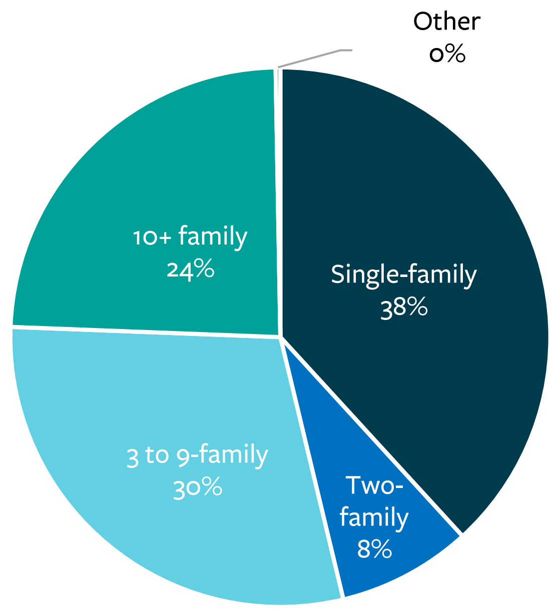


Figure 2: City of Portland Dwelling Units by Bedroom Count (2022)

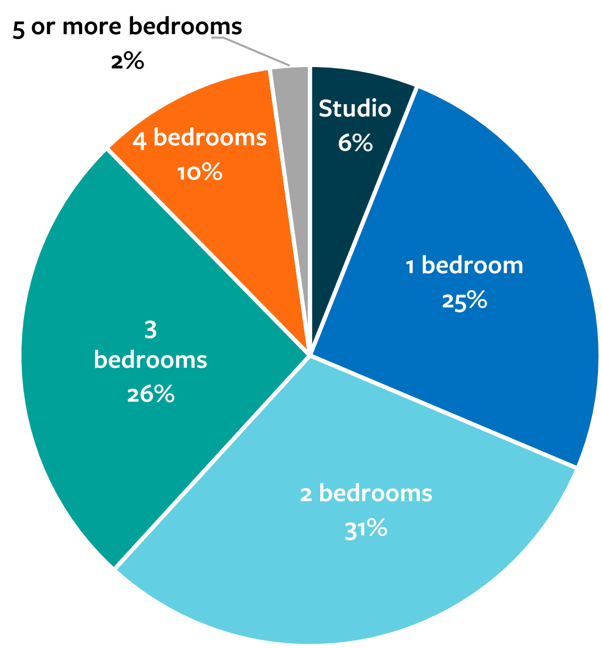


Figure 3: 2022 ACS 1-Year Estimates – Distribution of Dwelling Units by Bedroom Count

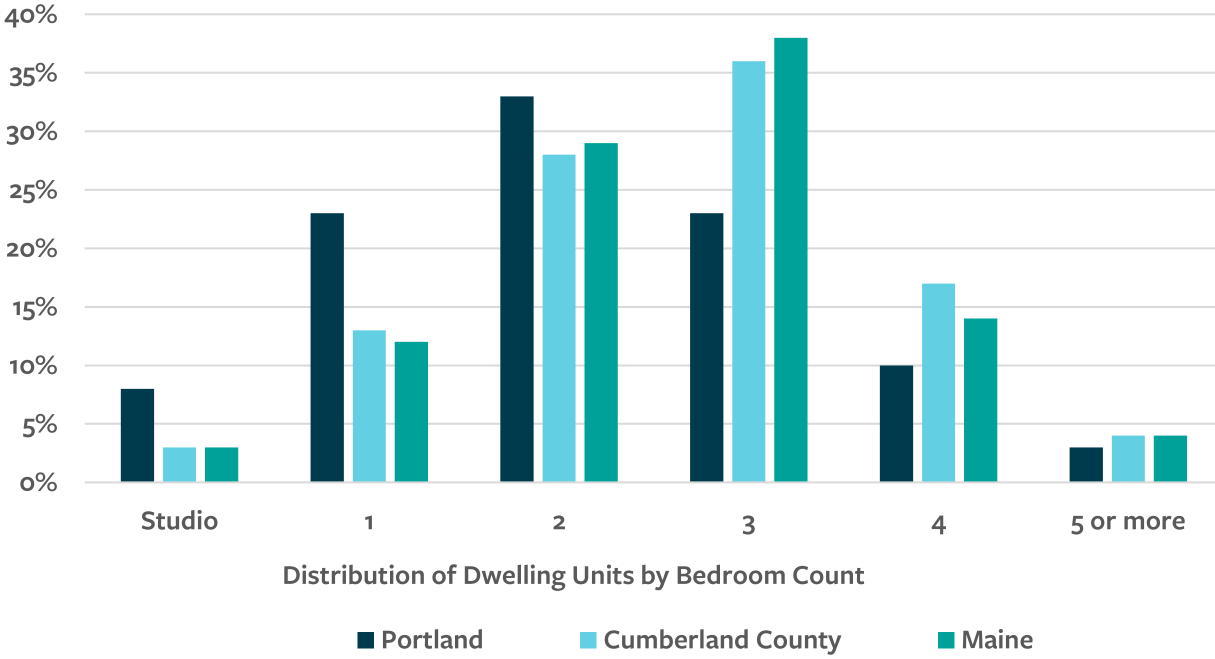
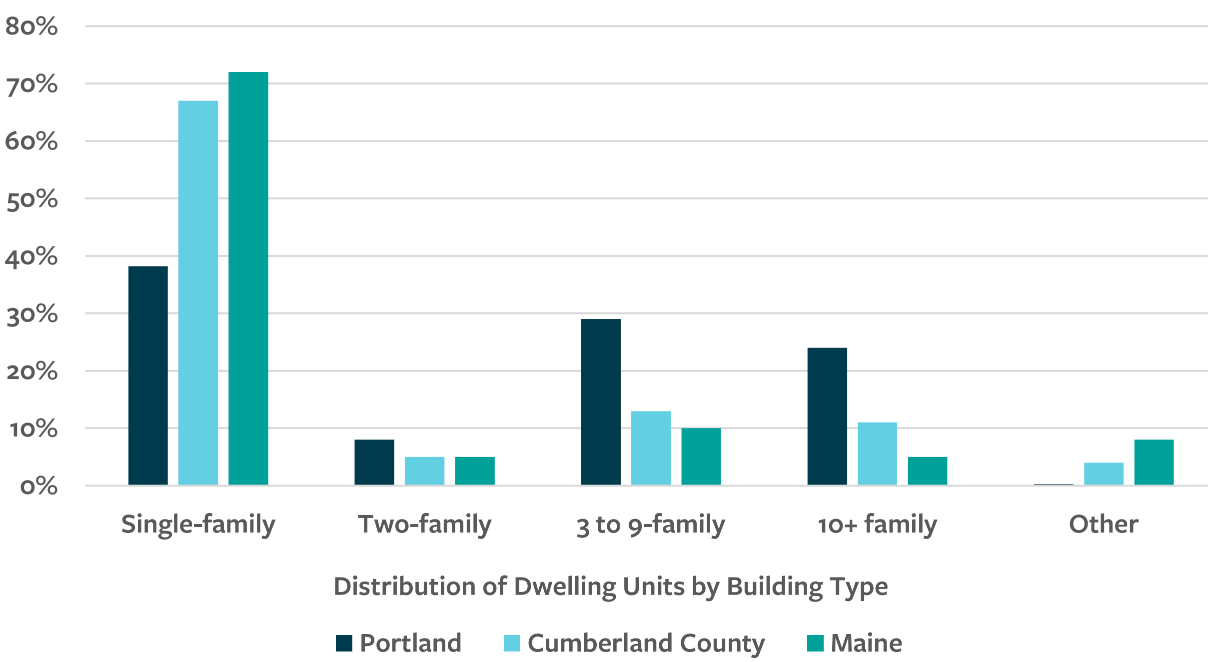


Figure 4: 2022 ACS 1-Year Estimates – Distribution of Dwelling Units by Building Type[1]



[1] Other category includes mobile homes, boats, recreational vehicles, and vans.

2. 2023 HOUSING DEVELOPMENT

A. RESIDENTIAL APPROVALS

In 2023, 1,281 new housing units were approved in the city. The Planning Board approved 14 new development projects totaling 1,212 units (*Table 1*), and another 59 projects totaling 69 units were permitted administratively (*Table 2*). The 14 Planning Board projects accounted for 95% of all units approved in the City of Portland in 2023, with administratively approved projects constituting the remaining 5%.

2023 HOUSING APPROVALS

1,281 new units
1,212 Planning Board-approved units[2]
69 administratively approved units[3]

436 ownership units
845 rental units
570 affordable units

Rental/Ownership. Of the total approved units for 2023, the majority (845) are anticipated as rental units, with the remaining units (436) anticipated as owner-occupied. A significant number of rental units were approved at 89 Elm Street in Bayside, as well as in three separate office-to-residential conversion projects at 465 Congress Street, 477 Congress Street, and 511 Congress Street in downtown Portland. The largest share of anticipated ownership units was approved as part of the redevelopment of the Portland Company site at 58 Fore Street in the Eastern Waterfront as well as at the Lambert Woods development in the North Deering neighborhood (622 Auburn Street & 165 Lambert). This project is located on former City-owned property, transferred as part of a city disposition process that began in 2020.

Table 1: Planning Board Approvals (2023)

Address	Type	Total Units Approved	Affordable Units Approved	Affordability Level
58 Fore Street	Rental/Ownership	396	25	Market rate / 80% AMI
89 Elm Street	Rental	201	201	60% AMI
477 Congress Street	Rental	140	40	Market rate/80% AMI
511 Congress Street	Rental	107	27	Market rate / 80% AMI
165 Lambert Street	Ownership	90	90	100% AMI/ 80% AMI
622 Auburn Street	Ownership	72	72	60% AMI
465 Congress Street	Rental	63	0	Market rate
2 Riverton Drive	Rental	59	59	80% AMI/ 60% AMI/ 50% AMI
25 Casco Street	Rental	54	54	60% AMI/ 50% AMI
385 Congress Street	Ownership	9	0	Market rate
73 Powsland Street	Ownership	9	0	Market rate
15 Crescent Street	Ownership	5	0	Market rate
185 Commercial Street	Ownership	4	0	Market rate
31 Forest Street	Rental	3	0	Market rate
Total		**1,212**	**568**	

[2] The Planning Board approves residential projects involving the construction of 3 or more dwelling units or changes of use over 10,000 square feet in size.
[3] The Planning Authority approves projects involving the new construction of 1-2 dwelling units or the creation of dwelling units within existing structures less than 10,000 square feet.

Table 2: Administrative Approvals (2023)

Address	Units Approved
148 (AKA 148B) State Street	2
63 Chadwick Street	1
241 Congress Street	1
454 Capisic Street	1
20 Atlantic Street	2
161 Rowe Avenue	1
4 Torrington Avenue	1
63 Alba Street	1
141 Dorothy Street	1
89 Frances Street	1
582 Congress Street	2
95 Edgeworth Avenue	1
10 (AKA 12) Swan Street	1
11 Idaho Street	1
38 Centennial Street	1
10 June Street	1
1 Meadow Avenue	1
24 Alderbrook Road	1
51 Reservoir Road	1
28 Brandy Lane	1
46 Bramhall Street	1
90 East Side Drive	1
32 Brandy Lane	1
60 Garrison Street	1
44 Oak Street	1
13 Everett Street	1
63 Brandy Lane	1
66 Brandy Lane	1
17 Chestnut Street	1
59 Pine Street	1
40 Sunset Road	1
151 North Street	2 units at 40% AMI
10 Dana Street	3
194 Virginia Street	1
37 Payson Street	1
1000 Congress Street	4
29 Dalton Street	2
37 Dalton Street	2
42 Owl's Nest Road	1
106 Exchange Street	2
211 Ocean Avenue	1
95 West Street	1
1 Commercial Street	3
60 Owl's Nest Road	1
55 Owl's Nest Road	1
48 Owl's Nest Road	1
496 Island Avenue	1
51 Owl's Nest Road	1
54 Owl's Nest Road	1
26 Sheridan Street	1
30 Sheridan Street	1
15 Farnham Street	1
4 Oramel Avenue	1
Total	69

Affordability. A total of 570 of the approved units for 2023 (45%) will be deed-restricted for affordability to households earning at or below 100% Area Median Income (AMI) (*Figure 5*). All of these units are proposed in buildings of more than three units in size. 67 of these units will remain affordable to households earning at or below 100% of AMI, 122 will remain affordable at 80% AMI, 311 will be affordable at 60% AMI, and 70 will be affordable at 40-50% AMI.

Unit size. Of the approved units for which bedroom mix data is available, the highest proportion (33%) were one-bedroom, with the next highest percentage of units being studios (16%) (*Figure 6*). Significantly fewer of the approved units in 2023 contained four or more bedrooms. Generally, administratively approved units, which tend to be single-family, two-family, or in small buildings, were more likely to be larger in size.

Location. As is typical, a large number of approved projects in 2023 were located on the peninsula. Larger projects tended to be concentrated in downtown and in the East End, with notable exceptions at Lambert Woods in North Deering and Riverton Park in the city's Riverton neighborhood. Smaller approved projects were spread throughout the city, including on the islands. 418 units were approved within historic districts in 2023, accounting for 35% of units approved overall.

Figure 5: Projects and Units Approved by Building Size (2023)

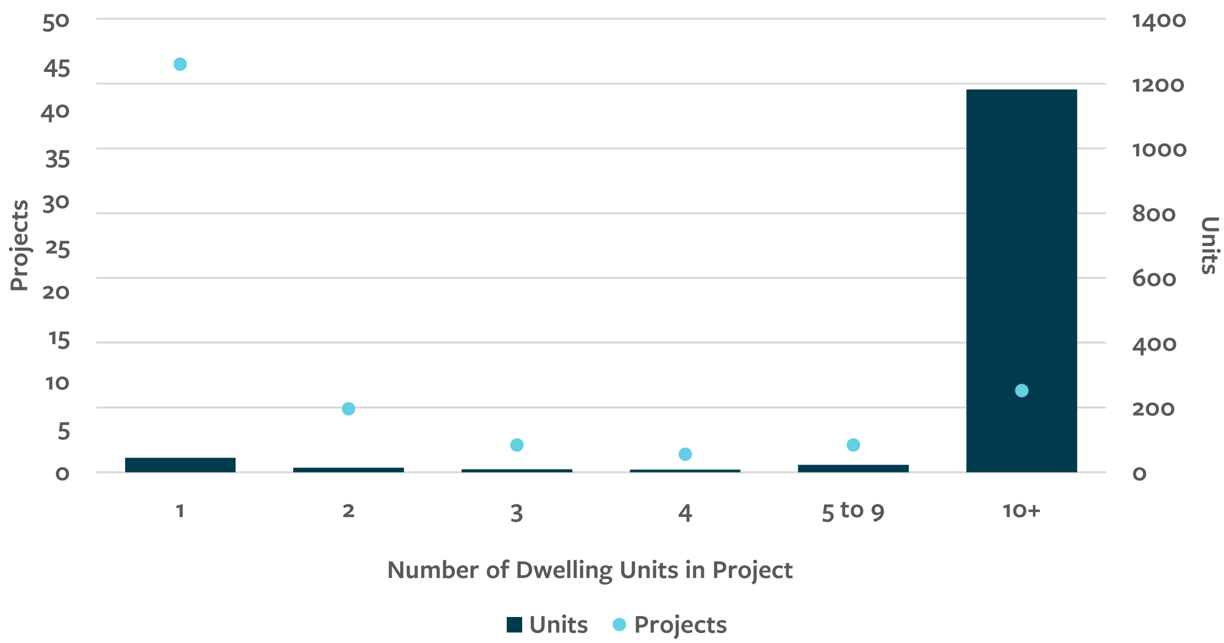


Figure 6: Units Approved by Affordability Level (2023)

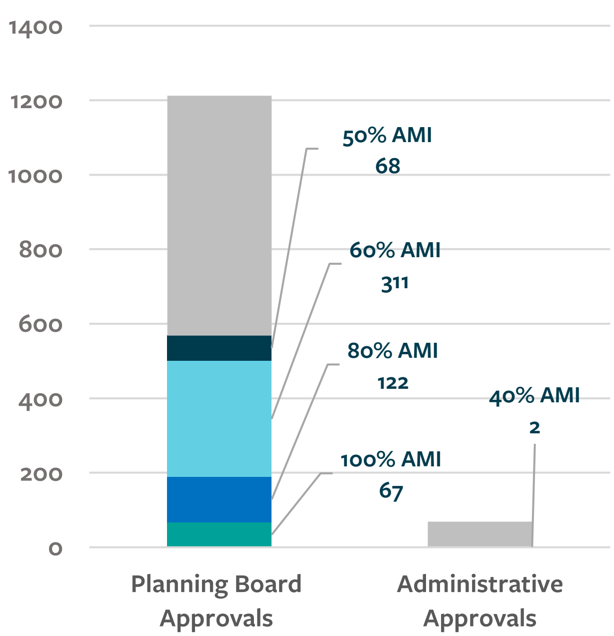


Figure 7: Units Approved by Bedroom Count (2023)

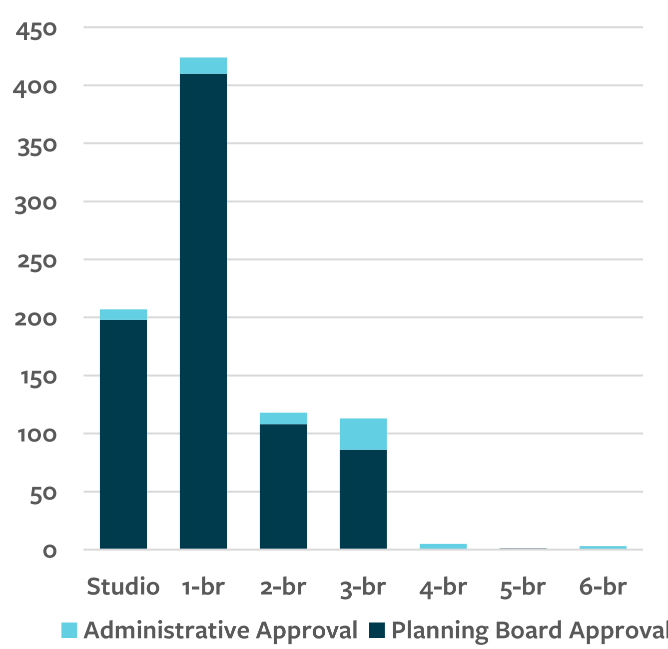
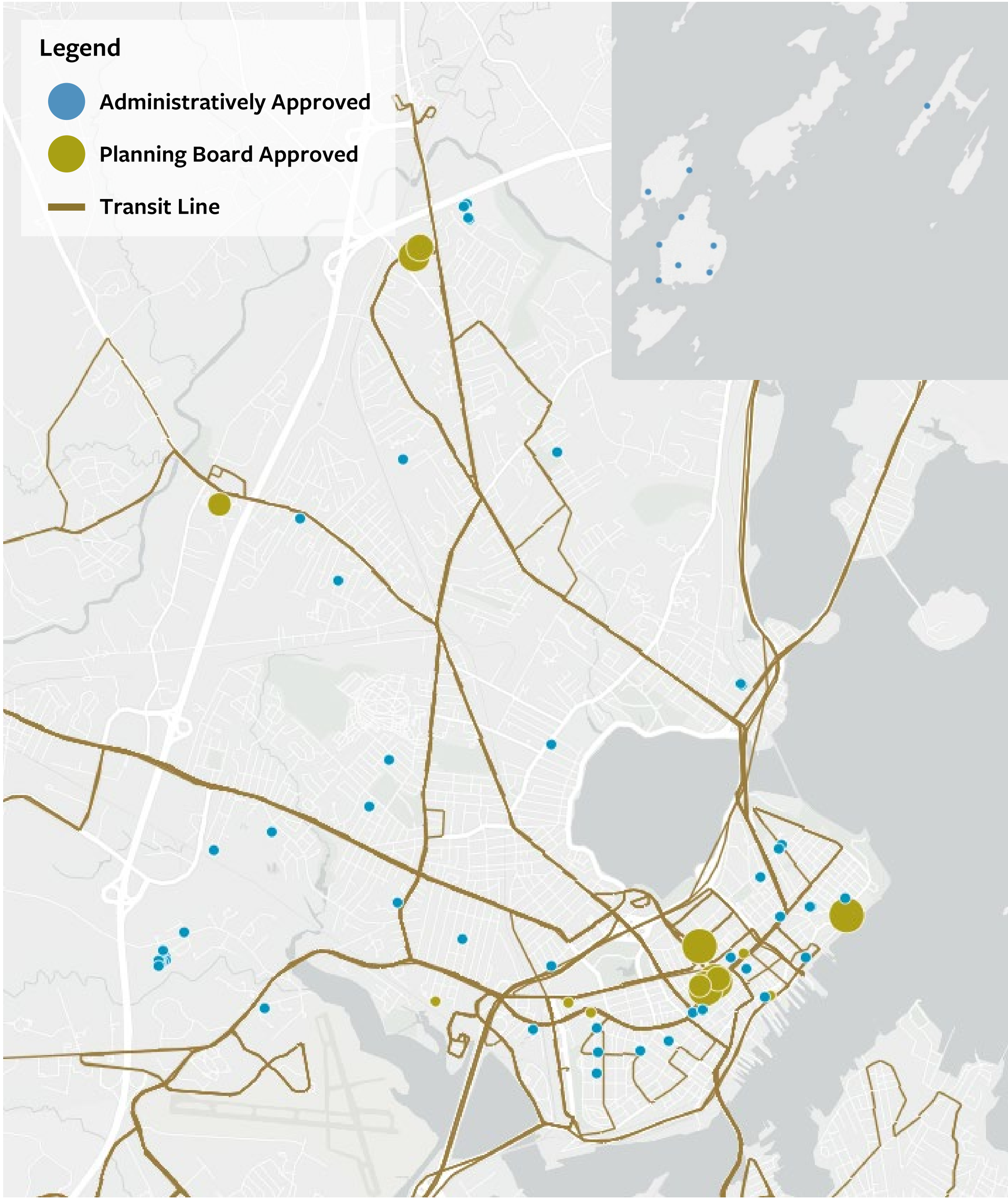


Figure 8: Units Approved by Location (2023)



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B. RESIDENTIAL CERTIFICATES OF OCCUPANCY

In 2023, eight Planning Board-approved projects totaling 504 units received certificates of occupancy, meaning that construction concluded and their units became available for use (*Table 3*). All of these units are located on the peninsula or in the East Deering neighborhood. The majority of completed Planning Board-approved units were rental units (446); 58 units were ownership. 180 of the total Planning Board-approved units were deed-restricted affordable units.

2023 COMPLETED UNITS

504 Planning Board-approved units
53 administratively approved units

446 multi-family rental units
58 multi-family ownership units
180 affordable multi-family units
1 affordable single-family unit

An additional 53 administratively-approved units also received certificates of occupancy in 2023 (*Table 4*). These units are generally evenly spread throughout the city. One of these units was deed-restricted affordable at 120% AMI.

Between Planning Board- & administratively-approved projects, 261 certificates of occupancy were issued within historic districts in 2023, comprising 47% of all completed units in the City and the second highest year for number of units completed in historic districts from 2010-onward.

Table 3: Certificates of Occupancy Issued for Planning Board-Approved Projects (2023)

Address	Type	Total Units	Affordable Units	Affordability Level	Approval Year
120 (AKA 144) State Street	Rental	165	17	Market/100% AMI	2021
45 Forest Avenue	Rental	81	21	Market/80% AMI	2021
210 (AKA 200) Valley Street	Rental	60	48	Market/60% AMI/50% AMI	2020
17, 29, 41 & 48 Winchester Drive	Rental	48	12	Market/ 80% AMI	2021
36 West Presumpscot Street, 44 Illsley Street, and 53 Front Street	Rental	47	35	Market/60% AMI/50% AMI	2019
83 Middle Street	Rental	45	45	50% AMI	2020
218 Washington Avenue	Ownership	45	0	Market	2017
130 Morning Street	Ownership	7	1	Market/120% AMI	2019
128 Rear North Street	Ownership	6	1	Market/120% AMI	2020
Total		504	180		

Figure 9: Units Completed in 2023 by Year of Approval

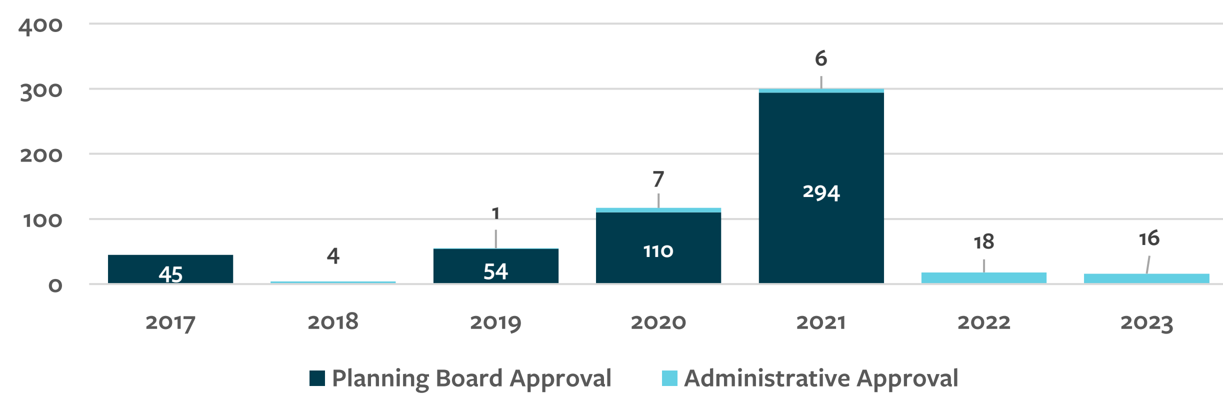


Table 4: Certificates of Occupancy Issued for Administratively-Approved Projects (2023)

Address	Type	Total Units	Affordability Level	Approval Year
56 Bradley Street	Ownership	2	Market	2020
20 Atlantic Street	Rental	2	Market	2023
62 Monument Street	Rental	2	Market	2018
482 Congress Street	Rental	2	Market	2022
14 Freeman Street	Ownership	2	Market	2020
582 Congress Street	Rental	2	Market	2023
148 (AKA 148B) State Street	Rental	2	Market	2023
47 (AKA 45) Bailey Avenue	Rental	1	Market	2022
122 Allen Avenue	Ownership	1	Market	2019
56 Hammond Street	Rental	1	Market	2020
161 Rowe Avenue	Ownership	1	Market	2023
23 Nevens Street	Rental	1	Market	2022
1784 Washington Avenue	Rental	1	Market	2022
35 Trailhead Way	Ownership	1	Market	2021
48 Cumberland Avenue	Ownership	1	Market	2021
189 Park Avenue	Rental	1	Market	2022
16 Guilford Court	Rental	1	Market	2022
299 Summit Street	Ownership	1	Market	2022
237 Spring Street	Rental	1	Market	2021
63 Alba Street	Rental	1	Market	2023
55 Trailhead Way	Ownership	1	Market	2022
106 Pine Street	Rental	1	Market	2021
241 Congress Street	Rental	1	Market	2023
56 Lower A Street	Ownership	1	Market	2022
51 Trailhead Way	Ownership	1	120% AMI	2020
59 Trailhead Way	Ownership	1	Market	2021
58 Trailhead Way	Ownership	1	Market	2022
78 Black Sparrow Drive	Ownership	1	Market	2022
46 Bramhall Street	Rental	1	Market	2023
400 Auburn Street	Ownership	1	Market	2018
17 Chestnut Street	Rental	1	Market	2023
827 Ocean Avenue	Ownership	1	Market	2022
59 Pine Street	Rental	1	Market	2023
91 Sheridan Street	Ownership	1	Market	2022
10 (AKA 12) Swan Street	Rental	1	Market	2023
122 (AKA 120) North Street	Rental	1	Market	2023
1670 Forest Avenue	Ownership	1	Market	2022
43 Howard Street	Ownership	1	Market	2022
27 Pierce Avenue	Rental	1	Market	2022
7 Russell Street	Rental	1	Market	2021
141 Dorothy Street	Rental	1	Market	2023

Table 4 (Continued): Certificates of Occupancy Issued for Administratively-Approved Projects (2023)

Address	Type	Total Units	Affordability Level	Approval Year
741 Stevens Avenue	Rental	1	Market	2022
37 Pamela Road	Ownership	1	Market	2022
89 Frances Street	Ownership	1	Market	2023
61 India Street	Rental	1	Market	2018
41 Tolman Road	Ownership	1	Market	2020
Total		53		

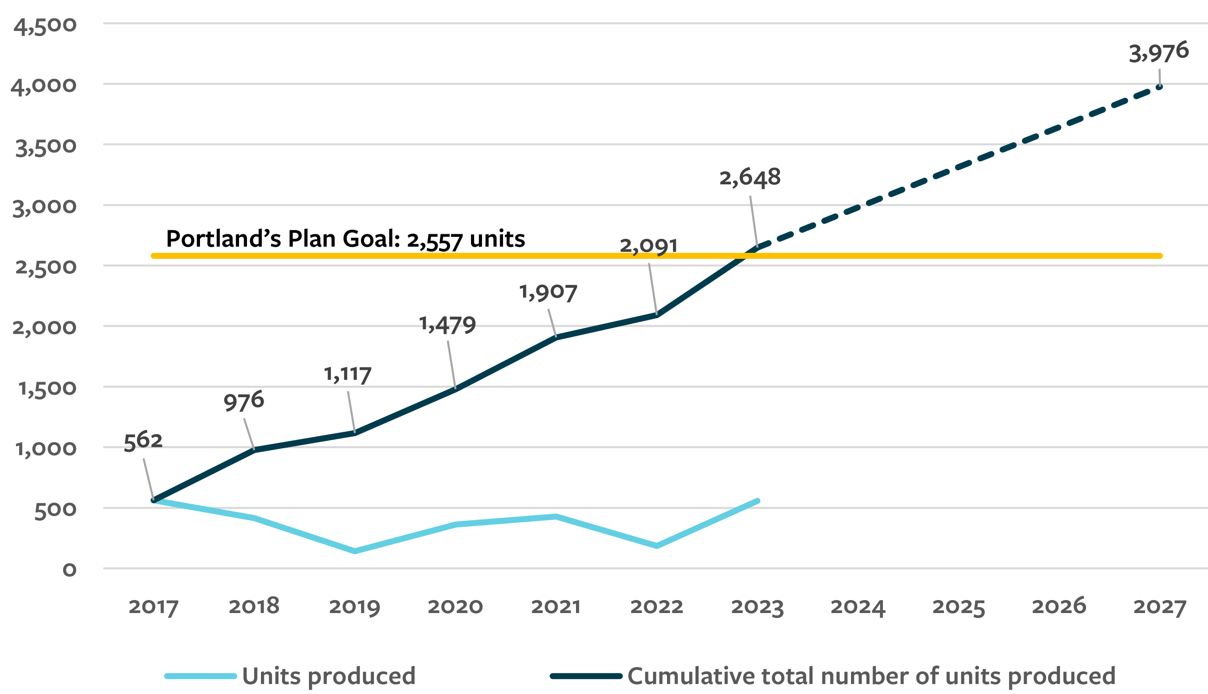
3. HOUSING DEVELOPMENT TRENDS

A. TOTAL PRODUCTION

On the premise that "all who work in Portland should have the option of living in Portland," *Portland's Plan,* the City's 2017 comprehensive plan, set a goal of 2,557 new housing units by 2027, or an average of 256 new units per year. Between 2017 and 2023, housing creation exceeded the *Portland's Plan* target (*Figure 10*) and if the current pace of production continues (±332 units/year), by 2027 the city will surpass its comprehensive plan target by more than 1,400 units.

Housing approvals are a leading indicator of housing production, and the trend in approvals in Portland over time is positive. Since 2010, the City has approved an average of 466 units per year. 2023, which saw 1,281 units approved, tripled the average number of approvals of the prior 12 years (405 units/year), and marked the highest number of approved units since 2010.

Figure 10: Housing Production by Certificates of Occupancy Issued (2017-projected)



When looking year over year, the data generally shows high rates of completion, meaning that approved units in Portland are generally being constructed and receiving certificates of occupancy (*Figure 11*). There are some notable exceptions; a large number of units approved in 2015 were not constructed, for instance, and every year since 2017 shows some projects which have not come to fruition. Generally, however, the completion rates through 2020 range from 60% to 100%. More of the 2021-2023 approvals remain to be built, which is predictable given the nature of the development pipeline.

Figure 11: Single-, Two-, and Multi-Family Units Approved (2010-2023)

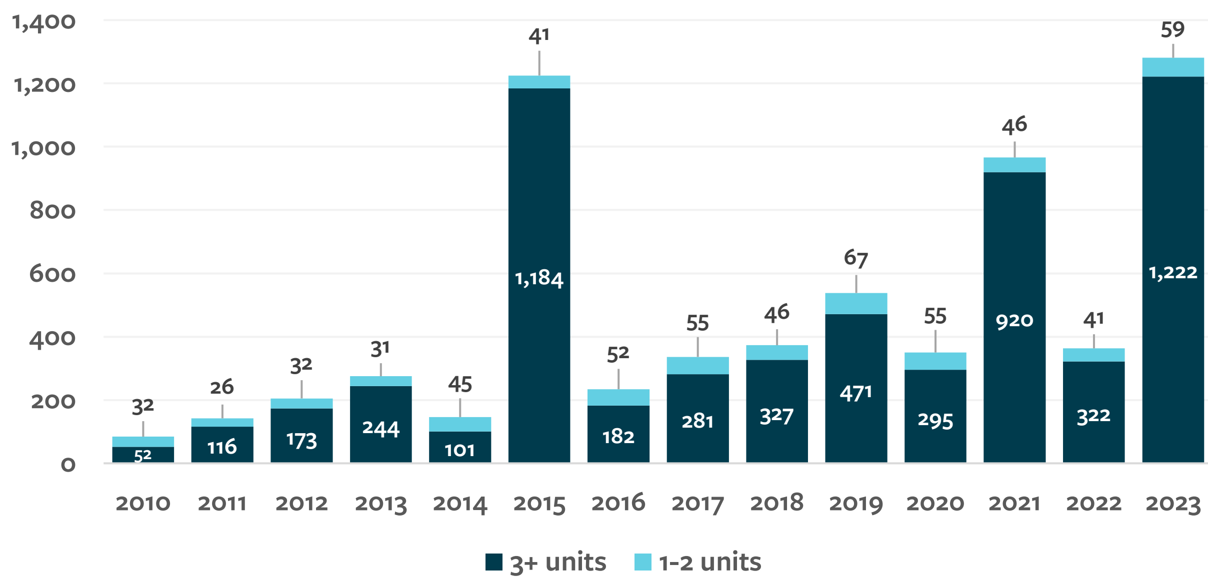
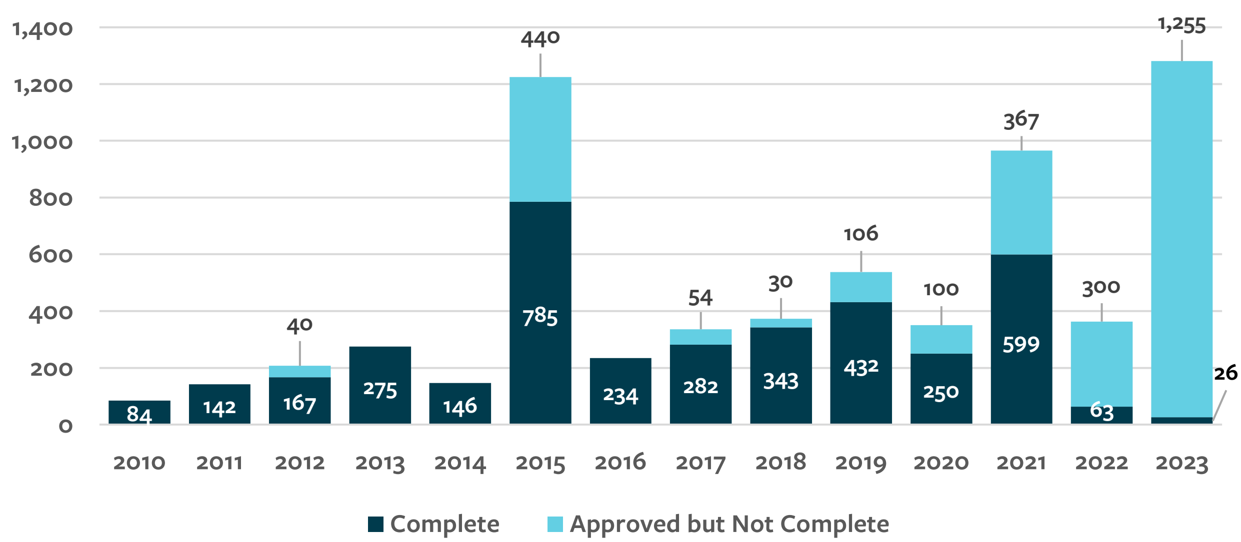


Figure 12: Completed and Approved Units by Year of Approval (2010-2023)



B. RENTAL/HOMEOWNERSHIP

Significantly more of the units approved in the last thirteen years have been rental units than owner-occupied units, and in any given year, the number of rental units approved generally exceeds homeownership units by a large margin (*Figure 13*). On average between 2010-2023, 61% of approved units are rental units, and 39% are owner-occupied. 2023 rates align with this average (66% rental and 34% owner-occupied). Larger projects approved in 2023 with rental units include 89 Elm Street (201), 511 Congress Street (107), 58 Fore Street (184), and 477 Congress Street (140). Larger projects with ownership units include 58 Fore Street (212), 165 Lambert Street (90), and 622 Auburn Street (72).

Figure 13: Approved Units by Ownership (2010-2023)

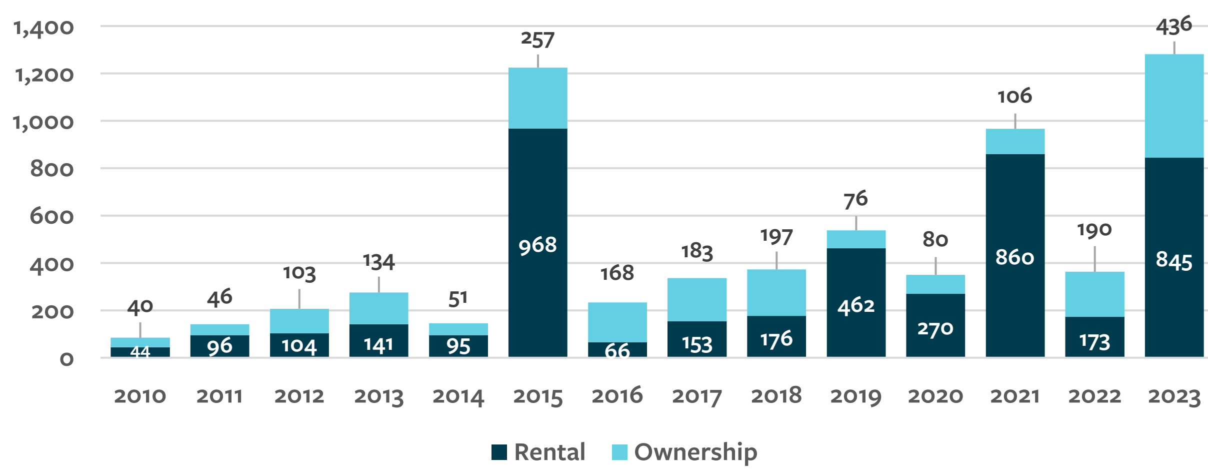
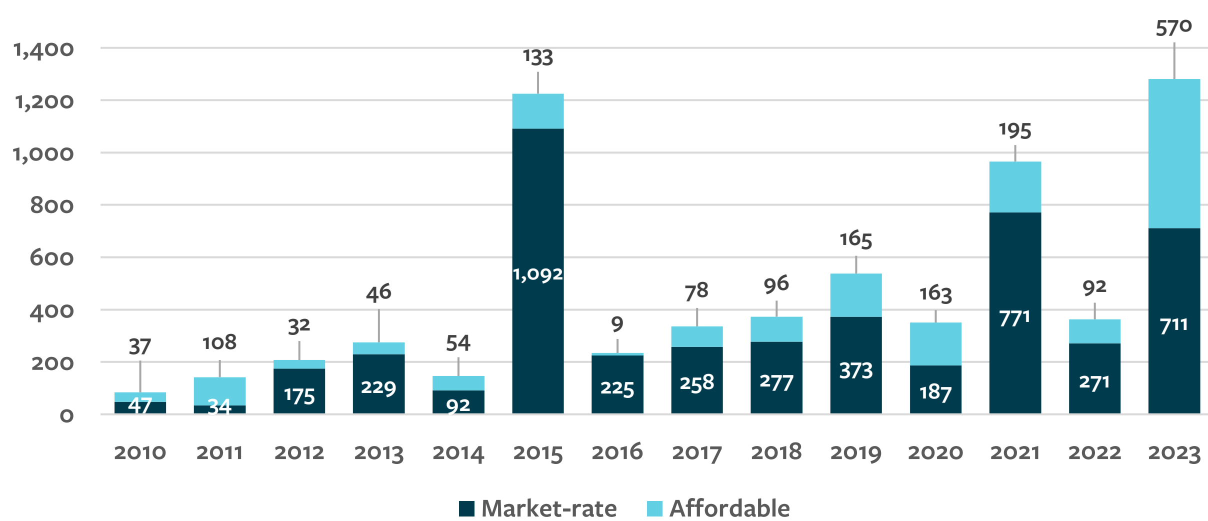


Figure 14: Approved Units by Affordability Level (2010-2023)



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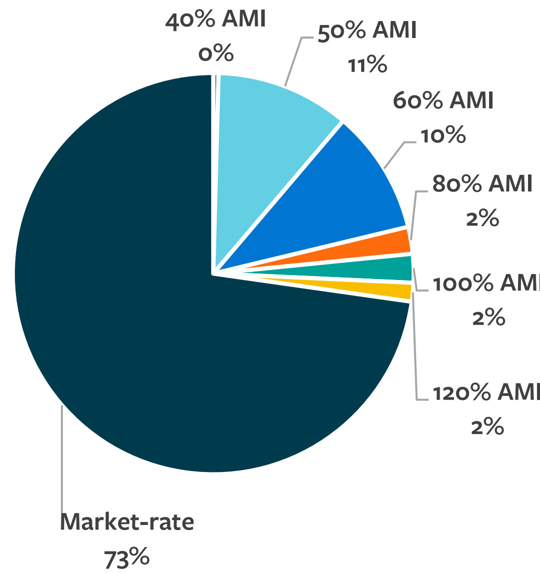
C. AFFORDABILITY

Even as production figures have exceeded the City's housing target, the cost of housing in Portland continues to escalate. As one means of addressing this challenge, the City continues to support deed-restricted affordable housing; since 2010, over 27% of the approved units within the city qualify categorically as affordable, with rents or purchase prices limited to households earning below 120% of the area median income (AMI) (*Figure 15*). Of these units, the majority have been designated for households earning less than 80% of AMI. In 2023, the proportion of deed-restricted affordable housing units approved was the highest of the last 13 years, at 45%, achieved largely as a product of a combination of City property dispositions (165 Lambert Street & 622 Auburn Street), and larger projects meeting their inclusionary zoning requirements through off-site units (89 Elm Street).

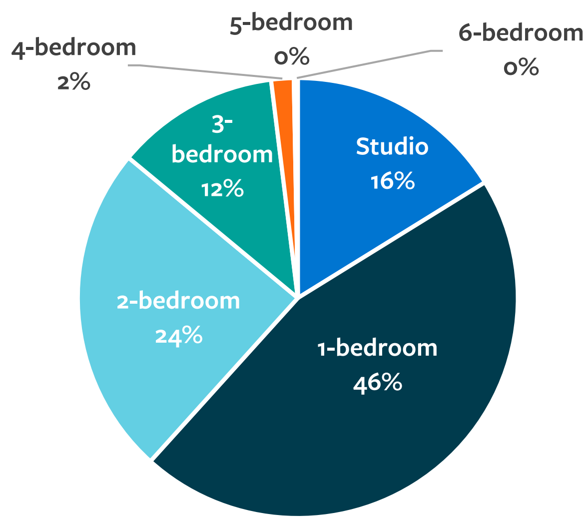
Figure 15: Approved Units by Affordability Level (2010-2023)



D. UNIT SIZE

When looking at unit size, data from the last 13 years shows that a large percentage of approved units are small – studios, one-bedroom, or two-bedroom units (*Figure 16*). Altogether, these unit types constitute 86% of all new units created in the past 13 years. 2023 was generally consistent with this trend.

Figure 16: Approved Units by Bedroom Mix (2010-2023)

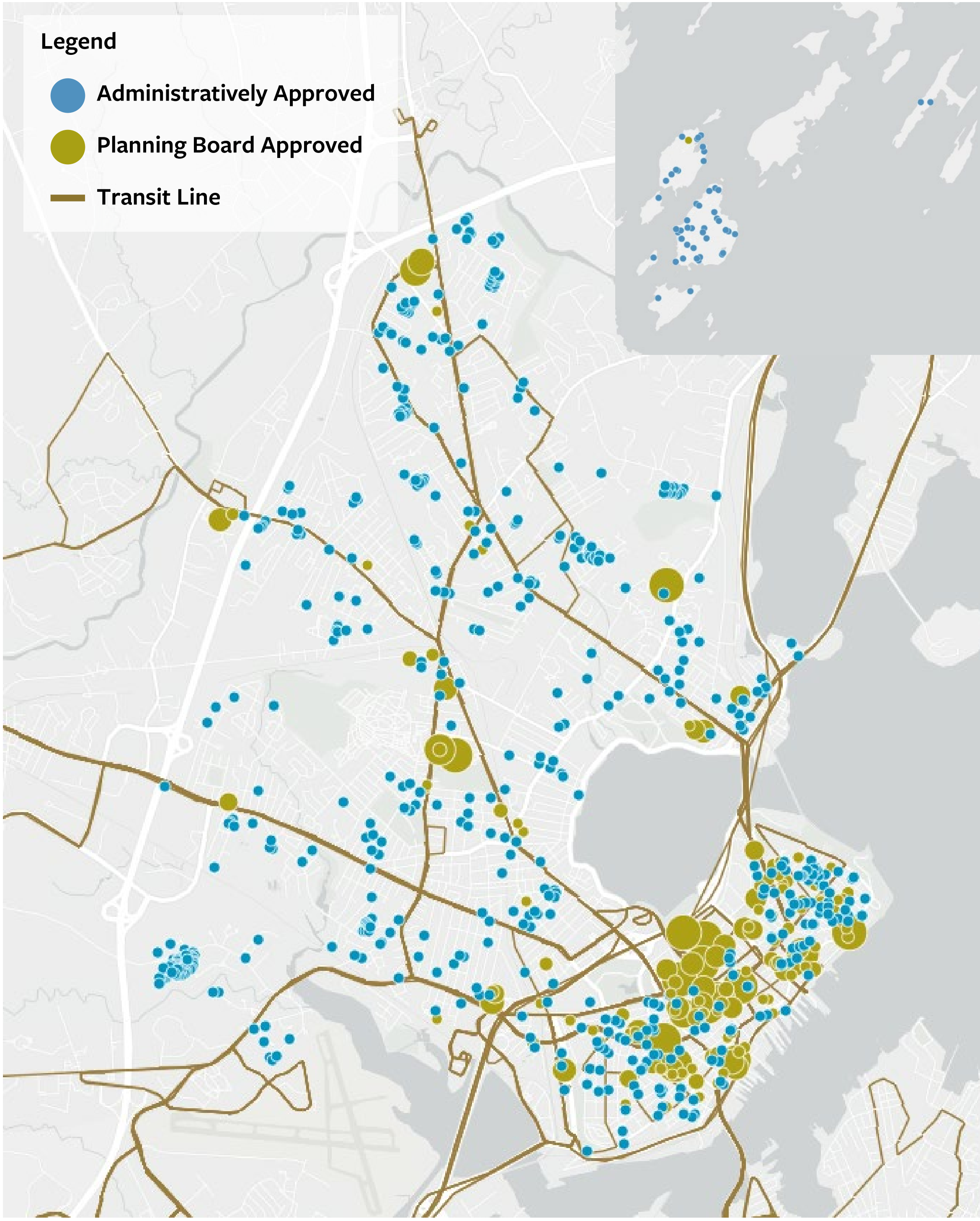


E. LOCATION

In the past 13 years, the areas of the city with the most approved new housing have generally been Bayside, Downtown, and Munjoy Hill (*Figure 17*). New housing, particularly larger multi-family housing, is significantly more common in on-peninsula neighborhoods, where the zoning generally allows more density, some zones allow significantly more height, and there is easier access to public transit, jobs, and services supporting the concept of sustainable development patterns.

2023 was generally consistent with this pattern of residential development, with larger multi-family development approvals on-peninsula in Munjoy Hill, Downtown, and Bayside, but also saw large affordable, multi-family development approvals in the North Deering (165 Lambert Street & 622 Auburn Street) and Riverton (2 Riverton Drive) neighborhoods.

Figure 17: Approved Housing Units (2010-2023)



F. HISTORIC DISTRICTS

Although only 4% of the city's land area lies within historic districts, according to City assessment records, historic districts contain 27% of the city's total housing units. Since 2010, the ratio of units approved in historic districts is generally consistent with this pattern; 28% of all approved and completed units between 2010 and 2023 lie in historic districts. The pattern holds for affordable housing as well, with 29% of approved and constructed affordable units located within historic districts from 2010-2023. A combination of dense building patterns and land use policies that permit increased density in historic districts have continued to facilitate housing production in these areas. 2023 was the second highest year for units approved (418) and units completed (261) in historic districts since 2010.

Figure 18: The Nightingale at 120 State Street, 165 new units in 2024 in the West End Historic District.
Photo Source: Apartments.com

Figure 19: Approved and Completed Units in Historic Districts (2010-2023)

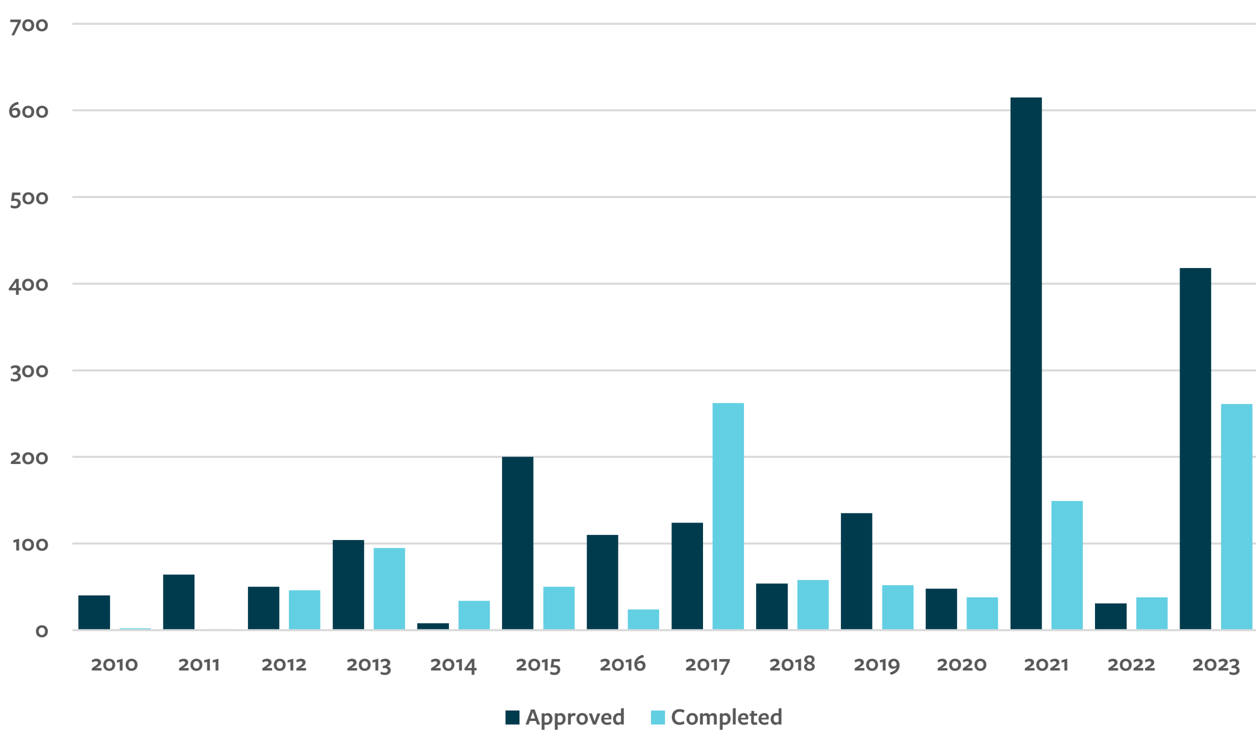


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Table 5: Approvals in Historic Districts (2023)

Address	Review Entity	Total Units Approved in Historic District	Historic District(s)
58 Fore Street	Planning Board	30	Munjoy Hill & Portland Company
477 Congress Street		140	Congress Street
511 Congress Street		107	Congress Street
465 Congress Street		63	Congress Street
25 Casco Street		54	Congress Street
185 Commercial Street		4	Waterfront
10 Dana Street	Administratively Approved	3	Waterfront
1 Commercial Street		3	Waterfront
148 (AKA 148B) State Street		2	West End
20 Atlantic Street		2	Munjoy Hill
582 Congress Street		2	Congress Street
122 (AKA 120) North Street		1	Munjoy Hill
63 Chadwick Street		1	West End
241 Congress Street		1	India Street
60 Garrison Street		1	Stroudwater
44 Oak Street		1	Congress Street
17 Chestnut Street		1	Congress Street
59 Pine Street		1	West End
95 West Street		1	West End
Total		**418**	

G. INCLUSIONARY ZONING

The City's inclusionary zoning (IZ) policy requires that all residential projects of 10 or more dwelling units either create affordable units or pay an in-lieu fee to the Jill C. Duson Housing Trust Fund. This policy represents an attempt to leverage the private market to create affordable housing. After the Green New Deal citizen referendum passed in 2020, changes were made to the inclusionary zoning policy (*Table 6*). The percentage of affordable units required increased from 10% to 25%. The referendum also resulted in deeper levels of affordability for IZ units, changing affordability levels for rentals from 100% AMI to 80% AMI and ownership units from 120% to 80%.

Table 6: Inclusionary Zoning Requirements Before and After Citizen Referendum

	% Affordable Units Required	Fee-in-Lieu (adjusted annually)	Affordability Level (Rentals)	Affordability Level (Homeownership)
2015	10%	$100,000	100% of AMI	120% of AMI
2020 Citizen Referendum	**25%**	**$150,000**	**80% of AMI**	**80% of AMI**

If all IZ projects approved since IZ's adoption proceed through construction, from 2015-2023 inclusionary zoning will have produced $7,710,140 in funding to the City's Housing Trust Fund and 264 affordable housing units.

Since the implementation of the Green New Deal, the Planning Board has approved 38 projects over three units in size. Of these, 15 applications (40%) were not subject to inclusionary zoning requirements because they were less than 10 units, and seven projects (18%) were submitted before the Green New Deal regulations took effect, preceding the change in regulations. Ten projects (26%) were exempt from IZ requirements because they received public financing with affordability restrictions. The remaining six projects (16%) were subject to the IZ policy under the Green New Deal. Two of these six projects, Winchester Woods and 45 Forest Avenue, have been completed and received certificates of occupancy. The remaining four projects have not moved forward, thee of which were approved in 2023.

While residential approvals have remained robust, a significant number have been below the threshold for IZ applicability or the result of subsidized affordable housing projects exempt from IZ requirements. This trend persisted in 2023, with five out of 14 Planning Board-approved projects under 10 units in size, and another five exempt from IZ requirements because they were otherwise affordable. Among the remaining four projects, one (58 Fore Street) was subject to the pre-Green New Deal requirement of 10% affordable units, and three were subject to the Green New Deal's requirements (465 Congress Street, 511 Congress Street, and 477 Congress). As of now all three of these projects have stalled; it was recently announced that one of the development partners withdrew from the approved residential project at 477 Congress Street.

Table 7: Planning Board Approvals and IZ Applicability (2023)

Address	Units Approve d	Affordable Units Approved	Number of required IZ units	IZ Applicability	IZ On-site/fee
31 Forest Avenue	3	0	0	N/A	
385 Congress Street	9	0	0	N/A	
185 Commercial Street	4	0	0	N/A	
73 Powsland Street	9	0	0	N/A	
15 Crescent Street	5	0	0	N/A	
622 Auburn Street	72	72	0	Exempt	
165 Lambert Street	90	90	0	Exempt	
2 Riverton Drive	59	59	1	Exempt	
25 Casco Street	54	54	0	Exempt	
89 Elm Street	201	201	0	Exempt	
58 Fore Street	**396**	**25**	**25**	**10% (Pre-GND)**	**25 units on-site $2,026,698 fee-in-lieu**
465 Congress Street	**63**	**0**	**16**	**25%**	**$2,716,638 fee-in-lieu**
511 Congress Street	**107**	**27**	**27**	**25%**	**On-site**
477 Congress Street	**140**	**40**	**40**	**25%**	**On-site**
Total	1,212	568			

4. HOUSING-SUPPORTIVE LAND USE POLICY

The City's guiding policy documents place a strong value on housing creation, diversity, and affordability. These concepts are a centerpiece of *Portland's Plan 2030*, and have been Council priorities for many years. The housing component of *Portland's Plan* states, "[w]hile Portland has welcomed much needed new housing construction in recent years, both the lack of sufficient housing supply and the affordability of that housing for a healthy socio-economic cross-section of the population remain urgent challenges." It goes on to assert that the city must "recognize that [its] vitality rests on the availability of diverse, secure housing options for existing residents, new arrivals, and all stages of life" (p. 47).

A. EXISTING LAND USE CODE

POLICIES TO ENCOURAGE HOUSING PRODUCTION

In keeping with *Portland's Plan,* Portland's existing land use code includes a number of provisions designed to support the production of housing of a wide range of types and sizes, as well as the creation of legally-binding affordable and workforce housing targeted specifically for residents of low or moderate incomes. These provisions include:

1. *Housing replacement ordinance.* The City's land use code has included provisions since the early 2000s that require any development proposals that remove existing housing to replace those units, either within the same geographic area or by contributing to the City's Housing Trust Fund. These provisions help to counter any potential net losses in housing supply associated with development.
2. *Base zoning to encourage housing creation.* In the past decade, the City has adjusted base zoning in several districts to support greater housing creation, modifying dimensional standards to allow for higher densities and smaller lots. These provisions have been targeted towards higher density residential zones and mixed-use zones well-served by transit, including the B-1, B-2, B-3, and R-6, on the grounds that they create opportunities for housing development in areas of the city that support smart growth are particularly well-prepared for them. Generally, these adjustments have been successful in producing housing; when looking at production by zone, the City's mixed-use zones and higher density residential zones regularly outpace other zoning districts in terms of housing creation.
3. *Accessory Dwelling Units (ADUs).* Under ReCode Phase I, the City revised Accessory Dwelling Unit (ADU) standards in the interest of eliminating barriers to ADU creation. The 2020 revisions streamlined ADU regulations, eliminated restrictive dimensional and parking requirements, removed procedural hurdles, and increased the number of ADUs permitted per lot (up to two ADUs), making it not only significantly easier to build an ADU in the city, but significantly easier to build significantly more ADUs. ADUs don't have affordability restrictions or requirements, the result of a deliberate policy decision to focus these recently revised regulations on paving the way for smaller, naturally affordable units across the city.
4. *Parking exemptions.* Off-street parking requirements are often cited as a barrier to housing production, forcing housing developers to devote valuable lot area to vehicles, rather than housing units. The City's land use code has long included a great deal of flexibility for developers when it comes to parking, including but not limited to exemptions in certain zones, shared parking provisions, and off-site parking allowances. As of December 2020, the City's land use code includes

lower residential parking requirements city-wide and offers an off-street parking exemption to any use within a ¼ mile of a transit route, essentially freeing much of the city from parking requirements altogether.

POLICIES TO SUPPORT AFFORDABLE HOUSING

1. *Affordable housing bonuses.* As of the mid-2000s and as refined in the late 2010s, the City's land use code has included dimensional bonuses for affordable and workforce housing in many of the City's mixed-use zones and for PRUDs in residential zones, scaled to the level of affordability provided. These bonuses allow increased height, increased density, and reduced setbacks for affordable housing projects.
2. *Expedited permitting for affordable housing.* In addition, affordable housing applications have been eligible for a reduction in fees and priority review since the mid-2000s. With the passage of the impact fee ordinance, the affordable housing fee reductions were extended to include these fees.
3. *Inclusionary zoning.* As noted above, in 2015 the City adopted inclusionary zoning, which requires that projects of 10 or more dwelling units provide a share of workforce housing or make a contribution to the City's Housing Trust Fund. A second inclusionary zoning policy was adopted in 2019 for hotels. These policies are intended to ensure that affordable housing is constructed in tandem with market rate housing and hotel development, and to support the creation of this housing in a mixed-income setting. The inclusionary zoning policy was modified by referendum in 2020 to increase the affordable housing share and to target lower median incomes.

2023 CODE CHANGES UNDER LD 2003

In April 2023, Governor Mills signed into law L.D. 2003, or "An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions." This law required communities across the state to adopt particular standards around affordable housing, permitted residential uses, and accessory dwelling units.

In December of 2023, the City Council adopted amendments to the land use code in response to LD 2003 that exceeded the requirements of the state law. Under new provisions in Section 6.4.2 of the land use code, up to four units are now allowed on all mainland lots in residential zones, and up to three units are permitted on all lots in residential zones on the islands. The amendments created a maximum lot coverage of 60% for residential lots city-wide, including on islands, unless exceeded elsewhere in the zoning ordinance. Through the amendments, affordable housing density bonuses were extended and off-street parking requirements were eliminated for the first four units in any residential use. This policy change could have significant implications, particularly in off-peninsula neighborhoods and island areas where, prior to LD 2003, use and dimensional requirements generally limited housing production.

B. CURRENT AND ONGOING INITIATIVES

Additional work focused around housing creation, diversity, and affordability city-wide is ongoing. At present, this work includes:

RECODE PHASE II

The City continued its housing work under ReCode Phase II in 2023. In June, the City released the "first wave" of draft changes to the land use code, focused on four key elements of the code: zones, definitions, uses, and dimensional standards. Over the course of the summer and fall, the public provided feedback on the drafts, and a "second wave" of draft edits was released in early 2024. From the housing perspective, these changes focused on creating significant opportunities for new housing production across the city, with an intensive focus on nodes and corridors as identified in *Portland's Plan*, but also within the neighborhood context. Proposed changes remove maximum residential densities, eliminate parking requirements, and increase height in targeted areas that align with existing infrastructure, and broaden residential use permissions to allow significantly more housing in residential zones. Review of the "second wave" of ReCode edits will continue through the remainder of the summer, with a final draft of the entire land use code to follow.

HOUSING DASHBOARD

In 2023 the City developed an interactive online housing dashboard that visualizes housing trends from 2010 onward. The dashboard is updated quarterly using information from City building permit and site plan records. The dashboard shows approved and completed units, including data on affordability, ownership, and location. Continuing forward, the dashboard will supplement the annual housing report, providing current information on key metrics to members of the public, elected officials, and City staff throughout the year.

PART II

1. HOUSING PROGRAMS

A. FEDERAL REVENUE SOURCES

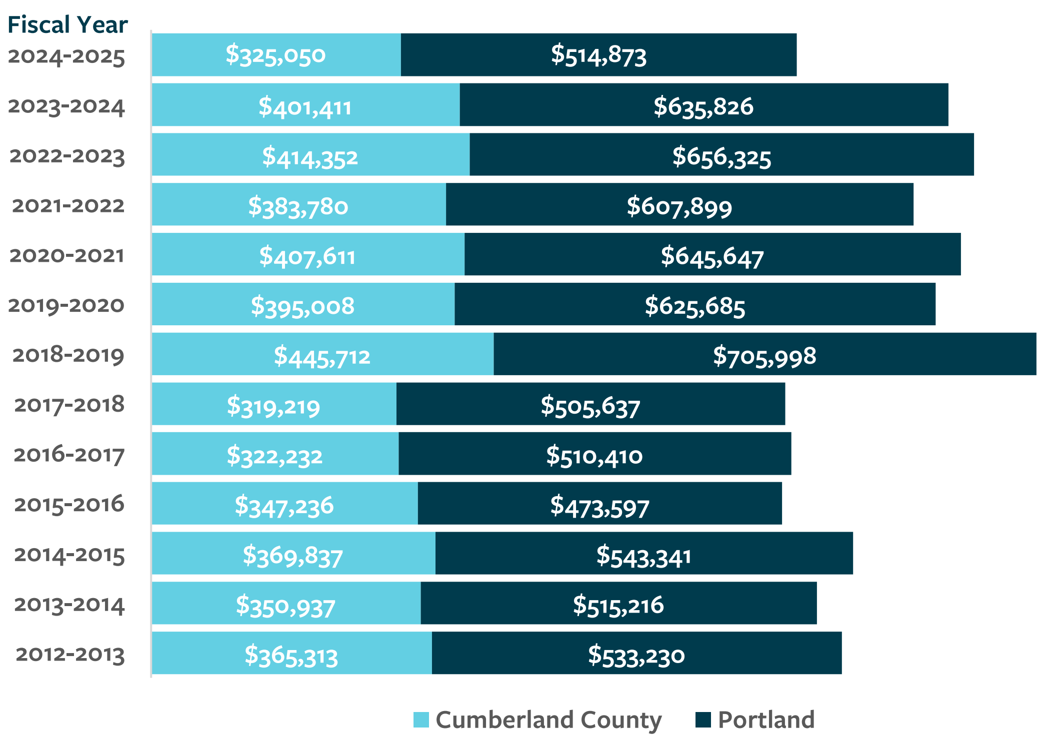
HOME

HOME is the largest federal block grant for state and local governments designed exclusively to create affordable housing for low-income households. HOME funds are awarded annually from the U.S. Department of Housing and Urban Development (HUD) as grants to participating jurisdictions such as the City of Portland. The amount of funding is based on a formula that considers the relative inadequacy of each jurisdiction's housing supply, incidence of poverty, fiscal distress, and other factors.

HOME FUNDS AT A GLANCE

1,567	**HOME housing units created and subsidized since 2000**
$11.2 million	**HOME funding allocation since 2000**
85%	**Percentage of HOME units that are affordable to households earning up to 60% AMI**

Figure 20: HOME Funding by Fiscal Year (2012-2025)



Participating jurisdictions may choose to use HOME funds for a broad range of eligible activities. Priority use of HOME funds in 2023 was for the development of rental housing for households earning up to 50% of the area median income.

Portland has been a participating jurisdiction in the HUD HOME Program since its inception in 1992. Prior to 2009, Portland received an annual allocation of HUD HOME funds but other communities of Cumberland County did not. The creation of the Portland/Cumberland County HUD HOME Consortium in 2009 brought additional funding for affordable housing activities into the region.

Table 8: Portland HOME Funding by Project by Appropriation Year (2013-2023)

Project Address/Name	Project Type	Year	Total Units	Low-/ Moderate-Income Units	HOME Funding
Bayside Anchor	New Construction	2013	45	36	$500,000
Thomas Heights	New Construction	2014	18	18	$522,448
Rosa True Apartments	Rehabilitation	2015	10	10	$149,500
548 St. John Street	Rehabilitation	2016	4	4	$75,000
Motherhouse	Rehabilitation	2017	88	66	$627,223
178 Kennebec Street	New Construction	2018	51	40	$370,000
63 Front Street	New Construction	2018	45	45	$204,070
37 Front Street	New Construction	2018	60	60	$306,104
Deering Place	Rehab/New Construction	2018	75	45	$500,000
58 Boyd Street	New Construction	2018	55	44	$200,000
155 Danforth	New Construction	2019	30	30	$299,999
83 Middle Street	New Construction	2019	45	45	$449,066
577 Washington Avenue	Rehabilitation	2020	100	100	$400,000
91 Winter Street	New Construction	2021	52	52	$200,000
73 Winter Street	New Construction	2021	43	43	$400,000
Riverton Park	**Rehab/New Construction**	**2023**	**182**	**182**	**$589,897**
Total			899	816	$5,718,307

CUMBERLAND COUNTY HOME CONSORTIUM

Portland and Cumberland County have formed a HOME Consortium to receive an annual allocation of HOME Investment Partnership funds through HUD. The HOME funds are used for the creation of affordable housing development throughout Cumberland County, but outside of Portland.

CUMBERLAND COUNTY HOME CONSORTIUM AT A GLANCE

$2.45 million	**Total investment (2009-2023)**
547	**Housing units proposed, rehabilitated, and/or created from 2009-2023**
521	**Low and moderate-income units**
$4,479	**Average contribution per unit**

Table 9: Cumberland County HOME Consortium Funding by Project (2009-2023)

Owner/Project Name	Community	Project Type	Year	Total Units	Low-/ Moderate-Income Units	HOME Funding
Oak Leaf 2	Freeport	3 new mobile homes	2011	3	3	$ 118,994
Sandy Creek	Bridgton	Rehabilitation	2013	20	20	$ 125,000
Steeple Square	Westbrook	Rehabilitation	2014	73	73	$ 173,650
Bartlett Woods	Yarmouth	New Construction	2015	28	28	$ 122,236
Blackstone Apartments	Falmouth	19 New (39 total)	2016	19	19	$ 123,125
Riverview Terrace & Larrabee Woods	Westbrook	Rehabilitation	2017	83	83	$ 240,000
Larrabee Heights/Harnois Apartments	Westbrook	New Construction	2018	61	61	$ 100,000
West End Phase I	South Portland	New Construction	2018	64	50	$ 246,046
Larrabee Commons	Westbrook	New Construction	2018	38	61	$ 220,000
West End Phase II	South Portland	New Construction	2019	52	40	$ 423,225
16 Hancock Street	Gray	New Construction	2020	27	27	$ 132,611
15 Harrison Road	Bridgton	New Construction	2020	48	48	$ 150,000
Village Crossing	Scarborough	New Construction	2021	31	31	$ 275,378
County Totals				**521**	**547**	**$2,450,265**

B. LOCAL REVENUE SOURCES

2023 JILL C. DUSON HOUSING TRUST FUND

$590,628 **Total deposited in 2023**
$2.41 million **Total allocated for spending in 2023**

JILL C. DUSON HOUSING TRUST FUND

The Jill C. Duson Housing Trust Fund was established to promote, retain, and create an adequate supply of housing, particularly affordable housing, for very low, low, and median-income households.

Table 10: Jill C. Duson Housing Trust Fund Contributions (2002-2023)

Year	Source	Type	Amount
2002/03	Maine Medical Center	Housing Replacement	$315,580
2002	Sportsman's Grill	Housing Replacement	$40,000
2009	Berlin City Auto	Housing Replacement	$116,000
2010	Stop 'n' Shop	Housing Replacement	$289,250
2012	Rockbridge/Eastland Park	Housing Replacement	$42,500
2012	Riverwalk/Ocean Gateway	Housing Replacement	$250,000
2012	118 Congress LLC	Easement Fee	$3,500
2017	91 & 97 Belfort Street	Sale of Tax-Acquired Property	$86,424
2017	116 Upper A Street	Sale of Tax-Acquired Property	$78,527
2017	443 Congress Street	Inclusionary Zoning	$280,000

2018	62 India Street	Inclusionary Zoning	$276,500
2018	Short Term Rental fees	Short-Term Rental Fees	$33,139
2018	0 Thames Street sale	Sale of City-Owned Property	$1,000,000
2019	20 Thames Street	Inclusionary Zoning	$270,000
2019	20 Thames Street	Easement Fee	$7,500
2019	17 Sumac Street)	Sale of Tax-Acquired Property	$79,618
2019	Short Term Rental fees	Short-Term Rental Fees	$176,118
2019	Short Term Rental penalty fee	Penalty Fee	$15,200
2020	Short Term Rental penalty fee	Penalty Fee	$7,700
2019	56 Hampshire Street	Easement Fee	$12,123
2019	121 Middle Street	Hotel Inclusionary Zoning	$41,866
2020	99 Capisic Street	Sale of Tax-Acquired Property	$163,169
2020	Short Term Rental fees	Short-Term Rental Fees	$122,965
2020	22 Bramhall Street	Easement Fee	$3,799
2020	50 Monument Square	Inclusionary Zoning	$222,789
2020	121 Middle Street	Hotel Inclusionary Zoning	$30,448
2020	Council Order 89 20/21	Appropriation	$500,000
2021	56 Hampshire	Inclusionary Zoning	$198,928
2021	40 Free Street	Inclusionary Zoning	$10,609
2021	1 Center Street	Hotel Inclusionary Zoning	$513,810
2021	Short Term Rental Fees	Short Term Rental Fees	$109,681
2021	Newell Street	Sale of Tax-Acquired Property	$900
2021	10 Hammond Street	Inclusionary Zoning	$169,744
2021	22 Hope Avenue	Inclusionary Zoning	$150,000
2021	American Rescue Plan, Order 84 21/22	Appropriation	$1,000,000
2022	5 India Street	Inclusionary Zoning	$261,086
2022	18 Luther Street	Loan Repayment	$36,000
2022	Short Term Rental fees	Short-Term Rental Fees	$79,460
2022	City Manager Appropriation	Appropriation	$250,000
2022	American Rescue Plan, Order 100 22/23	Appropriation	$4,110,000
2022	Newell Street	Sale of Tax-Acquired Property	$8,100
2022	Stroudwater Development	Inclusionary Zoning	$16,234
2022	75 Chestnut Street	Inclusionary Zoning	$587,444
2023	**Short Term Rental fees**	**Short-Term Rental Fees**	**$129,378**
2023	**218 Washington Avenue**	**Inclusionary Zoning**	**$461,250**
	Previous Interest Earned	Interest	$51,556
		Total Deposits	$12,608,894

Table 11: Use of the Jill C. Duson Housing Trust Fund (2011-2023)

Year	Expenditure	Amount
2011	Avesta Oak Street Lofts	-$380,585
2014	Housing First Pre-Development Request for Proposal	-$75,000
2015	65 Hanover & 52 Alder Streets Feasibility Study	-$9,250
2017	65 Munjoy Street	-$175,000
2018	37 Front Street	-$555,000
2018	63 Front Street	-$370,000
2018	977 Brighton Avenue	-$300,000
2019	60 Parris Terrace Down Payment Assistance	-$24,000
2019	83 Middle Street	-$136,734
2019	18 Luther Street	-$36,000
2020	200 Valley Street	-$491,540
2020	Affordable Housing Rental Housing Incentive Program	-$1,000
2021	155 Danforth	-$150,000
2023	**Riverton Park**	**-$910,103**
2023	**Dougherty Commons Condominiums**	**-$1,500,000**
Total Spent		**-$5,114,212**

INCLUSIONARY ZONING FEE IN LIEU

Fee-in-lieu payments from inclusionary zoning projects are paid and deposited into the Housing Trust Fund when the certificate of occupancy is issued, which typically occurs at the time tenants or homeowners move into a building. Hotel fee-in-lieu payments are also paid and deposited when the certificate of occupancy is issued.

2023 INCLUSIONARY ZONING FEES IN-LIEU

$2.7 million **Total approved in-lieu payments for workforce housing units in 2023**

$1.6 million **Total approved in-lieu payments for hotel units in 2023**

Table 12: Inclusionary Zoning Fee-in-Lieu Payments (2017-2023)

Address	Status	Units	Type	IZ Units	Fee-in-lieu
443 Congress St.	Paid	28	Rental	-	$280,000
62 India St.	Paid	29	Ownership	-	$276,500
20 Thames St.	Paid	27	Ownership	-	$270,000
50 Monument Square	Paid	21	Rental	-	$222,789
56 Hampshire St.	Paid	29	Ownership	1	$198,928
40 Free St.	Paid	51	Rental	5	$10,609
10 Hammond S	Paid	16	Ownership	-	$169,744
5 India St.	Paid	24	Rental	-	$261,086
75 Chestnut St.	Paid	54	Ownership	-	$587,444
218-220 Washington Ave.	Paid	45	Ownership		$461,250
387 Commercial St.	Under Construction	64	Ownership	-	$707,130
22 Hope Ave. Subdivision	Paid	16	Ownership	-	$150,000
54 York St.	Under Construction	14	Rental	-	$649,356
1700 Westbrook St. (Phase 2)	Paid	41	Ownership	4	$16,234
126 North St.	Approved (2020)	6	Rental	1	$21,757
465 Congress Street	**Approved (2023)**	**63**	**Rental**	**-**	**$2,716,6389**

Table 13: Hotel Inclusionary Zoning Fee-in-lieu as Condition of Planning Board Approval (2019-2023)

Address	Status	Rooms	Fee-in-lieu
121 Middle Street	Paid	19	$72,314
1 Center Street (Canopy by Hilton)	Paid	135	$513,810
754 Congress Street (Longfellow Hotel)	Under Construction	48	$182,688
477 Congress Street (Time and Temperature Building)	**Approved (2023)**	**136**	**$619,888**
385 Congress Street (Phase I)	**Approved (2023)**	**179**	**$815,882**
178-184 Middle Street (Docent's Collection)	**Approved (2023)**	**19**	**$86,602**
		Total	**$2,291,184**

AFFORDABLE HOUSING TAX INCREMENT FINANCING (TIF)

The Affordable Housing Tax Increment Financing (AHTIF) Program provides a flexible financing tool to assist affordable housing projects and support related infrastructure and facilities by designating a specific area as an affordable housing development district and adopting an affordable housing development program for the district. AHTIF enables communities to use a percentage of the new property taxes generated from the affordable housing district to help make the housing affordable and to pay for related costs.

2023 AFFORDABLE HOUSING TIF PROJECTS

23 Casco Street	**54 age-restricted rental units**
Riverton Park	**123 renovated townhomes & 59 rental units in a new four-story building**
622 Auburn Street	**72 rental units**

Communities using AHTIF also avoid the decreases in state revenue-sharing and state education subsidy and increases in county taxes that otherwise would occur with increased property values from the AHTIF district. Maine law requires municipalities to apply to MaineHousing for review of the district and development program approved by the municipality to ensure compliance with the conditions set out in the AHTIF statute. Municipalities may designate up to two percent of their land in an AHTIF district. Through AHTIF, rental units must be maintained as affordable for 30 years and homeownership units must remain affordable for 10 years.

The approval process to establish an AHTIF district involves four steps. The process begins with the request for funding through submission of a completed Affordable Housing Development and Tax Increment Financing application to the City of Portland. Then the City Council's Housing and Economic Development Committee provides a recommendation to the City Council regarding the establishment of an Affordable Housing TIF district. If the City Council approves the recommendation, the City submits an application to the Maine State Housing Authority. After reviewing the application from the City to ensure compliance with the Affordable Housing Tax Increment Financing Statute, MaineHousing issues a Certificate of Approval.

2. SUBSIDIZED AND WORKFORCE HOUSING

Table 14: Subsidized Housing Development in Portland (2000-2023)

Owner/Project	Year	Units	HOME	HDF	CDBG	HTF	TIF	NSP
Unity Village at Bayside	2000	33	$86,500	$0	$363,863	$0	$0	$0
Island View Apartments	2001	70	$71,015	$192,639	$136,346	$0	$0	$0
St. Dominic's	2002	12	$0	$436,500	$0	$0	$0	$0
Brannigan House	2002	10	$93,000	$0	$0	$0	$0	$0
Wellesley Estates	2002	45	$0	$256,000	$0	$0	$0	$0
Logan Place	2003	30	$435,000	$0	$0	$0	$0	$0
Yale Court	2002	30	$150,000	$200,000	$0	$0	$0	$0
Peninsula Community I	2003	12	$300,000	$0	$0	$0	$0	$0
Peninsula Community II	2004	16	$307,700	$0	$0	$0	$0	$0
IRIS Park Apartments	2004	30	$0	$250,000	$0	$0	$0	$0
Fay Garman House	2004	12	$150,000	$0	$0	$0	$0	$0
Peninsula Community III	2005	10	$200,000	$0	$0	$0	$0	$0
Walker Terrace	2004	40	$382,000	$220,000	$0	$0	$0	$0
Fore River	2006	20	$388,474	$0	$0	$0	$0	$0
Valley Apts.	2006	24	$320,000	$0	$0	$0	$0	$0
Pearl Place I Apartments	2007	60	$427,000	$0	$0	$0	$615,502	$0
Bayside East	2007	20	$250,000	$0	$0	$0	$0	$0
53 Danforth Street	2008	43	$325,000	$0	$0	$0	$0	$0
Florence House	2008	25	$240,000	$0	$0	$0	$0	$0
Oak Street Lofts	2011	37	$0	$0	$0	$380,585	$0	$0
Pearl Place II Apartments	2011	54	$400,000	$0	$0	$0	$0	$0
Elm Terrace	2011	38	$403,795	$0	$0	$0	$0	$0
409 Cumberland	2013	57	$500,000	$0	$0	$0	$759,392	$0
Adams School	2013	16	$0	$0	$0	$0	$0	$1,710,000
Thomas Heights	2014	18	$522,448	$0	$0	$0	$207,116	$0
Bayside Anchor	2015	45	$500,000	$0	$0	$0	$0	$0
17 Carleton Street Apts.	2015	37	$0	$0	$0	$0	$726,000	$0
Rosa True School	2015	10	$149,500	$0	$0	$0	$0	$0
548 St. John Street	2016	4	$75,000	$0	$0	$0	$0	$0
Motherhouse	2017	88	$627,223	$0	$0	$0	$0	$0
65 Munjoy	2017	8	$0	$0	$0	$175,000	$0	$0
58 Boyd Street	2018	55	$200,000	$0	$30,000	$0	$2,144,566	$0
977 Brighton Avenue	2018	40	$0	$0	$0	$300,000	$1,954,486	$0
Deering Place	2018	75	$500,000	$0	$0	$0	$4,185,757	$0
37 Front Street	2018	60	$306,104	$0	$250,000	$555,000	$6,056,916	$0
63 Front Street	2018	45	$204,070	$0	$0	$370,000	$0	$0
178 Kennebec Street	2018	51	$370,000	$0	$0	$0	$2,889,164	$0
83 Middle Street	2019	45	$499,066	$0	$200,000	$136,734	$1,559,287	$0
66 State Street	2019	38	$0	$0	$0	$0	$2,672,169	$0
155 Danforth Street	2019	30	$299,999	$0	$0	$150,000	$0	$0
18 Luther Street	2019	2	$0	$0	$0	$36,000	$0	$0
200 Valley Avenue	2020	60	$0	$0	$0	$491,540	$4,092,269	$0
577 Washington Ave.	2020	100	$400,000	$0	$184,150	$0	$3,809,991	$0
104 Grant Street	2020	23	$0	$0	$0	$0	$2,749,457	$0
73 Winter	2021	43	$400,000	$0	$0	$0	$1,337,426	$0
91 Winter	2021	52	$200,000	$0	$0	$0	$1,473,978	$0
45 Dougherty	2022	63	$0	$0	$0	$1,200,000	$2,329,683	$0
25 Casco Street	**2023**	**54**	**$0**	**$0**	**$0**	**$0**	**$2,836,087**	**$0**
Riverton Park	**2023**	**182**	**$589,897**	**$0**	**$0**	**$910,103**	**$3,459,750**	**$0**
Lambert Woods North	**2023**	**72**	**$0**	**$0**	**$0**	**$0**	**$3,705,106**	**$0**
Dougherty Commons	**2023**	**20**	**$0**	**$0**	**$0**	**$1,500,000**	**$0**	**$0**
Total		2,064	$11,272,791	$1,555,139	$1,164,359	$6,204,962	$49,564,102	$1,710,000

2023 SUBSIDIZED HOUSING DEVELOPMENT

25 Casco Street will be a five-story, mixed-use development of 54 units of age-restricted affordable housing with 12 studio, 34 one and 8 two-bedroom units. 21 of the units are deed-restricted as Workforce Units for households earning up to 60% AMI while the remaining 33 units are deed-restricted at 50% AMI. Amenities include a laundry room, community room, and trash room. Anticipated lease-up is scheduled for November 2025. See *Table 13* for affordability rates at 60% and 50% of the area median income (AMI).

Source of Renderings: Ryan Senatore Architecture

Riverton Park is a renovation project of 123 affordable units in 21 two-story townhomes, and the development of 59 affordable units in a new four-story elevator-assisted building. Of the total 182 units, 8 will be studio units, 13 one-bedroom, 36 two-bedroom, 69 three-bedroom, 30 four-bedroom, 20 five-bedroom, and 6 six-bedroom units. 130 units will be affordable to housing earning up to 50% AMI, 34 units up to 60% AMI, and 18 units up to 80% AMI. Amenities include a Neighborhood Center with a multipurpose recreational gymnasium, community kitchen, food & clothing pantry, conference room, residents service coordination office, and community policing liaison office. Anticipated lease-up date of Spring 2027. See *Table 13* for affordability rates at 50%, 60% and 80% of the area median income (AMI).

Source of Renderings: CWS Architecture + Interior Design

Lambert Woods North (622 Auburn Street), will be six new buildings comprised of two 3-story buildings (with a total of 20 units), and four 3-story rowhouses (with a total of 52 units) for a total of 72 units of rental housing affordable to households earning up to 60% AMI. 34 units will one-bedroom, 10 will be two-bedroom, and 28 will be three-bedroom units. Units will be offered for rent for 45 years, after which the project may convert to cooperative ownership. Amenities include central laundry facility, on-site property management offices, community space, community gardens, and a playground. See *Table 13* for affordability rates at 60% of the area median income (AMI).

Source of Renderings: Aceto Landscape Architecture + Urban Design

Dougherty Commons Condominiums (51 and 57 Douglass Street) will be affordable housing on previously city-owned property. Condominium units will be in two buildings, one building with 4 three-bedroom units in a 2-story building, and one building with 8 one-bedrooms on the first floor and 8 three-bedroom units on the second and third floor for a total of 20 condominiums between the two buildings. The sale price of one-bedroom units will be $260,000 and the sale price of three-bedroom units will be $325,000. All units are income restricted at 100% AMI. See *Table 13* for affordability rates at 100% of the area median income (AMI).

Source of Renderings: Aceto Landscape Architecture + Urban Design

WORKFORCE HOUSING DEVELOPMENT

45 Forest Avenue (Erlang): Six stories of 81 studio and one-bedroom apartments. 151 market rate units and 20 workforce housing units (2 studio, 14 one-bedroom, and 4 two-bedroom units). Amenities include in-unit washer and dryers, fitness room, lounge, and bicycle parking room. Workforce units are deed-restricted for 30 years at 80% AMI. See *Table 13* for affordability rates at 80% area median income (AMI).

Photo Source: Redfern Properties

Winchester Woods, is comprised of four buildings with one and two-bedroom units. 36 of the units are market rate while 12 units (a mix of one and two-bedroom units) are deed restricted as Workforce Units for households earning up to 80% AMI. All units feature open floor plans with modern fixtures, stainless steel appliances and heat pumps with free, on-site parking. Workforce units are evenly distributed within the buildings and within each floor. Workforce units are deed-restricted for 30 years. See *Table 13* for affordability rates at 80% AMI.

Photo Sources: Apartments.com & Hotpads.com

52 Hanover Street (The Armature): Features 171 apartments in an eight floor building comprised of studios, one-bedrooms, one-bedroom + offices, two-bedrooms, and two-bedrooms + offices. 151 units are market rate and 20 units are deed restricted Workforce Housing for households earning up to 100% AMI. Workforce units are distributed throughout the building from the second to the seventh floor. Amenities include in-unit washer and dryers, a pool and courtyard, indoor-outdoor fitness center, coworking lounges, bike storage, and sky deck. Workforce units are deed restricted for 99 years at 100% AMI. See *Table 13* for affordability rates at 100% area median income (AMI)

Photo Source: Apartments.com

Stroudwater Preserve (Phase I and Phase II) is comprised of 86 newly constructed single-family homes. 8 four-bedroom, two-bath homes are deed restricted as Workforce homes for families earning up to 120% AMI. In 2022, workforce homes sold for $355,000 while comparability sized market rate units sold for $580,000. In 2023, workforce homes were priced at $425,000 whereas slightly larger market rate homes (an additional 400 square feet) were listed at $728,000. Workforce homes are evenly distributed throughout the subdivision. All homes include open floor plans, heat pumps for heating and cooling, Low E windows, and dehumidification systems as well as sprinkler systems. Workforce homes are deed restricted for 99 years at 120% AMI. See *Table 12* for affordability rates at 120% area median income (AMI).

Photo Source: Legacy Properties

3. INCOME AND RENTAL DATA

A. 2023 INCOME & RENT LIMITS- PORTLAND HUD METRO AREA

The U.S Department of Housing and Urban Development (HUD) computes income limits for Portland based on local Area Median Income (AMI). Portland applies HUD's income limits to determine and monitor household eligibility with the City's Inclusionary Zoning and Low-Income Housing programs.

Table 15 presents the maximum rent limits (which includes rent plus utilities) broken down by household size and area median income levels.

HUD AFFORDABILITY AT A GLANCE

HUD describes households in the 30% AMI bracket as extremely low-income households

80% AMI households are described as low-income households

HUD measure of housing affordability is spending 30% or less of gross monthly income towards housing expense

Table 15: 2023 Income Limits - Portland HUD Metro Fair Market Rent Area

	Household Size					
AMI	Studio	1	2	3	4	5
30%	$21,300	$24,850	$28,400	$31,950	$35,500	$38,350
50%	$35,500	$41,450	$47,350	$53,250	$59,150	$63,900
60%	$42,600	$49,700	$56,800	$63,900	$71,000	$76,700
80%	$56,800	$66,250	$75,700	$85,150	$94,600	$102,200
100%	$71,700	$83,650	$95,600	$107,550	$119,500	$129,100
110%	$78,100	$91,150	$104,150	$117,150	$130,150	$140,600
120%	$85,200	$99,400	$113,600	$127,800	$141,950	$153,350

Table 16: 2023 Maximum Rent Limits – Portland HUD Metro Fair Market Rent Area

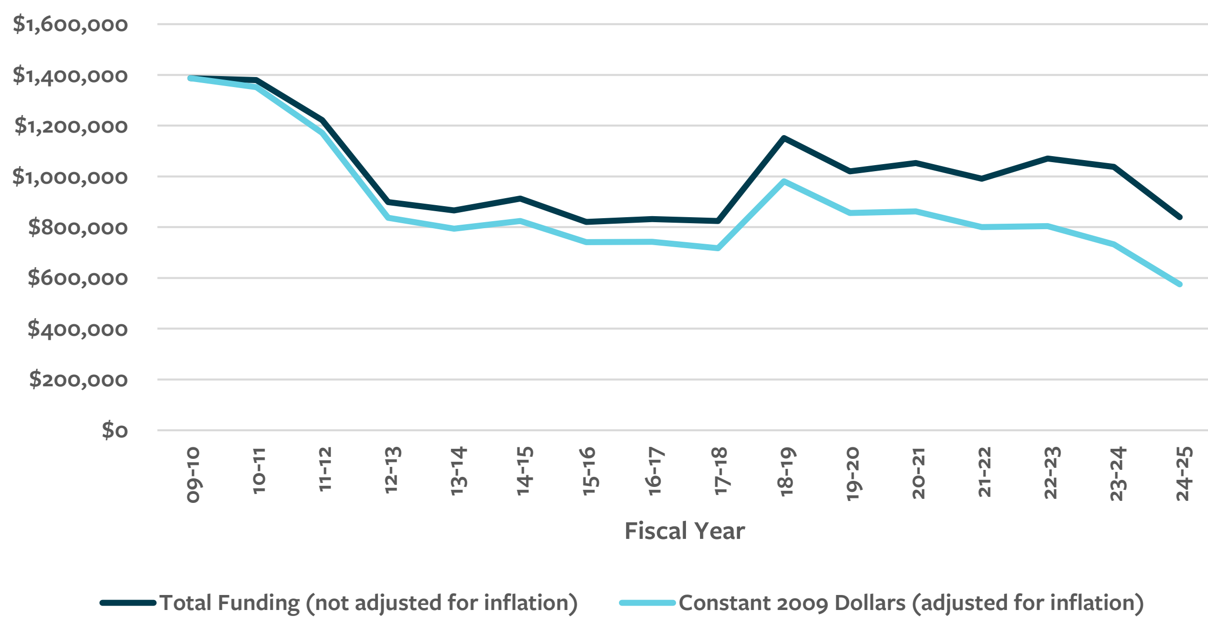
	Bedroom Count					
AMI	Studio	1	2	3	4	5
30%	$532	$621	$710	$798	$887	$958
50%	$887	$1,036	$1,183	$1,331	$1,478	$1,597
60%	$1,065	$1,242	$1,421	$1,597	$1,775	$1,917
80%	$1,420	$1,656	$2,390	$2,128	$2,365	$2,555
100%	$1,792	$2,091	$2,603	$2,688	$2,987	$3,227

4. FUNDING CUTS, INFLATION AND INCREASING CONSTRUCTION COSTS

The Federal HOME Program received a $250 million funding cut in 2024. The local impact is an approximate $200,000 reduction in HOME funding from the previous program year. In the fifteen previous funding cycles, only three other times has the funding allocation been less than the current 2024 allocation. Spending cuts and the increasing cost of goods and services (i.e. inflation) means participating jurisdictions like the City of Portland and the Cumberland County Consortium receive less funding to address an ever more expensive and increasing demand for housing.

Figure 21 adjusts funding levels for inflation using the US Bureau of Labor Statistics CPI Inflation Calculator for Urban Consumers (CPI-U). The dark blue line depicts the total funding received each fiscal year (unadjusted for inflation). The light blue line illustrates the impact of inflation. For example, in FY 23-24, total funding equaled $1,037,237 which is $349,905 less than what was received in FY 19-10 ($1,387,142). When adjusted for inflation, $1,037,237 in today's dollars is the same as receiving $732,043 in 2009, or a $305,194 funding reduction due to inflation.

Figure 21: HOME Funding by Fiscal Year (2009-2025)



Notes

[1]Project receiving funding that includes deed restrictions for affordability that meet or exceed workforce housing requirements, which exempts the project from having to provide Inclusionary Zoning units.
[2] Project has pending proceeding status and received approval when 10% of all units are required to be Inclusionary Zoning units.
[3]Project has opted to utilize fee-in-lieu option to meet Inclusionary Zoning requirements.

The rising cost of materials, workforce shortages, and rising interest rates present a challenge to the developers of housing, even more so for developers of affordable housing who cannot offset costs with market-rate rents. Projected construction costs from developers of LIHTC projects responding to the 2024 Affordable Housing Development and TIF applications range from $307 to $341 per square foot compared to $152 per square foot in February 2019, $209 per square foot in October 2021, and $290 per square foot as of March 2024 (historical information provided by the Szanton Company). Construction costs of projects based on trade breakdown reflect a similar steady increase. The trending construction costs of LIHTC projects approved for funding in 2023 were as follows: $244,200 (7-10-2023); $247,386 (9-11-2023); $299,010 (9-24-2023); and $339,510 (12-8-2023).

5. MONITORING

The *2022 Housing Report* presented the dramatically increasing annual monitoring requirements of the Housing and Community Development Division that takes place after a residential housing project is completed. Monitoring is an ongoing responsibility of the City to ensure compliance with program regulations, applicable federal and local statutes, grant requirements, and terms and conditions of grant awards. Monitoring requirements vary based on the type of housing (workforce housing versus affordable housing), and the type of funding in the project. The continued historical rate of approval of residential housing (both mixed-income, and low-income) and subsidy funding portends the continued demand on dedicating staffing resources towards ensuring compliance through monitoring.

A. INCLUSIONARY ZONING: WORKFORCE HOUSING

In 2023, four mixed-income buildings with workforce rental units began leasing up. A total of 70 units within those buildings required income and rent limit verification before tenants moving in to ensure the household's income is at or below income limits. This additional monitoring was incorporated into the ongoing monitoring of 41 other active rental workforce units for a total of 111 workforce units.

For workforce homeownership projects, staff works with the developer to determine the maximum sale price of each workforce unit. The maximum sale price calculation consists of the mortgage payment, less real estate taxes, less mortgage insurance, less condo fees, less homeowner's insurance, less utilities. During the resale of a unit, staff recalculates the maximum sale price for the seller. As with rental units, each household is income-qualified to ensure compliance with income guidelines. Stroudwater Preserve (Phase I) has four workforce single-family homes, 104 Grant has three workforce condo units, while 65 Munjoy Street has 6 condo units, 1 Joy Place 1 condo unit, 60 Parris Terrace 2 condo units, and 128 North Street has 1 condo unit. Stroudwater Phase II is actively building and selling four new workforce homes.

B. HOME

Affordable housing projects that receive HOME funding are required to be monitored by the City to ensure compliance with regulations established by the U.S. Department of Housing and Urban Development (HUD). Monitoring includes confirming the number and type of HOME-assisted units, confirming units are leased to households at or below the HOME income limits for their household size, ensuring the rents plus tenant-paid utilities do not exceed rent limits, ensuring utility costs are accurate, and ensuring exceptions are only allowed when households also receive project-based vouchers. Additionally, the City has a Memorandum of Agreement with MaineHousing, to provide annual on-site property inspections, which is another HOME program requirement.

The total number of households requiring annual HOME monitoring has grown from two households in 2000 to 129 households in 2023.

C. HOUSING TRUST FUND AND AFFORDABLE HOUSING TAX INCREMENT FINANCING UNITS

Though not as extensive as the monitoring required for HOME units, affordable housing projects that receive Housing Trust Funds and/or Affordable Housing Tax Increment Financing (TIF) are also required to be monitored by the City to ensure compliance with income and rent limits. Compliance for rental units includes ensuring units are leased to households at or below set income limits for their household size, and ensuring the rents plus tenant-paid utilities do not exceed rent limits. For homeownership units, potential homebuyers are also required to establish income eligibility.

From 2011 to 2023, 12 residential housing projects were approved for a subsidy from the Housing Trust Fund equaling a total of 592 households monitored annually to ensure units are occupied by households that earn at or below the agreed-upon area median income, and the maximum sale price or rent is restricted in a similar manner. From 2007 to 2023, 20 residential housing projects with 1,185 households received Affordable Housing Tax Increment Financing (AHTIF). At least 33% of the households in these projects are required to be monitored annually to ensure units are occupied by households that earn at or below the agreed-upon area median income and the rent is similarly restricted. To compete for limited 9% federal Low Income Housing Tax Credit (LIHTC) subsidy funding, developers are more frequently requesting AHTIFs to ensure success in in the scoring process within their subsidy funding requests.

PART III

With significant local and statewide policy changes recently in effect and on the horizon, the following trends, among others, will be important to track in coming years:

- **Housing production related to LD 2003**
  Housing production associated with LD 2003 is expected to take decades. However, new housing projects capitalizing on the policy change are already in the development pipeline. Moving forward, staff will be watching trends associated with LD 2003, such as the number of new "LD 2003 projects" (e.g. new development which previously wouldn't have been allowed, additions or conversions of existing buildings to accommodate more units, and the number of projects making use of the affordable housing bonuses.

- **ADU production**
  With recent changes in ADU policy under ReCode Phase I, and continued discussion of ADUs as a potential source of new housing, staff has been watching ADU trends since 2020. Though the total number of ADUs in Portland remains relatively modest, ADU permits have roughly tripled since the new ADU framework was implemented under ReCode, from an average of less than three a year prior to 2022 to 14 per year in 2023. Additional flexibility for ADUs is proposed through ReCode Phase II. Staff will continue to monitor this trend.

- **Housing creation in local historic districts**
  In 2021, the City Council requested the preparation of a study to assess the impact of local historic districts on the city's economy, sustainability goals, property values & housing production. In September 2023, *Trends in Portland's Historic Districts* was released. The study provided an assessment of trends in and outside of historic districts from 1990-2021, and generally found that, despite lower levels of new construction, historic districts have experienced similar increases in density as areas outside of historic districts. This is accounted for through a mix of additions, retention of existing units, and repurposing of structures for higher residential density (e.g., single-family to two-family, commercial to residential conversions). The study recommended continued monitoring of trends within historic districts.

- **Rates of expired approvals**
  From 2010-2014, almost all developments that were approved in Portland were completed (99% of projects approved administratively and 95% of projects approved by the Planning Board). As shown in Figures 19 & 20, while administratively-approved projects have held similar rates from 2015 onward, there have been more projects approved by the Planning Board that have expired since 2015 than in the prior five years. There could be a variety of reasons for this trend; it will be important to watch going forward.

Figure 22: Administratively Approved Project Completion & Expiration by Year

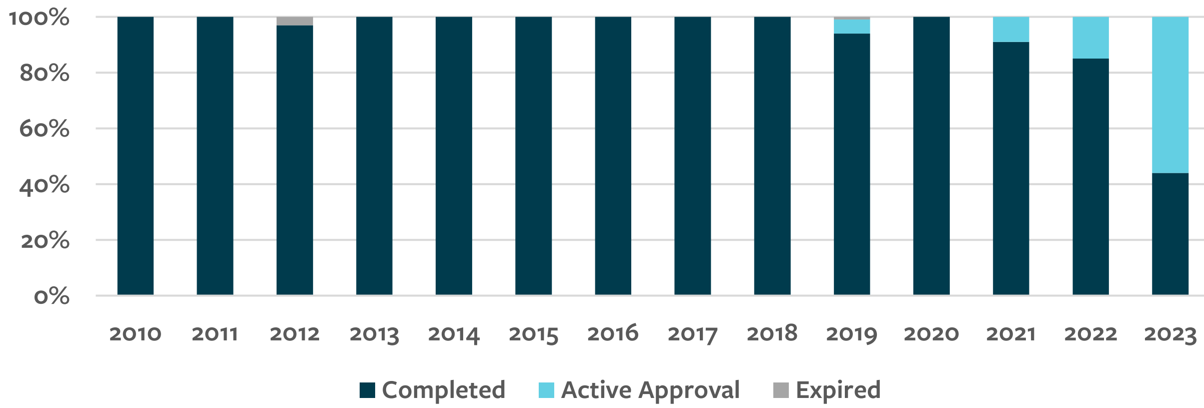
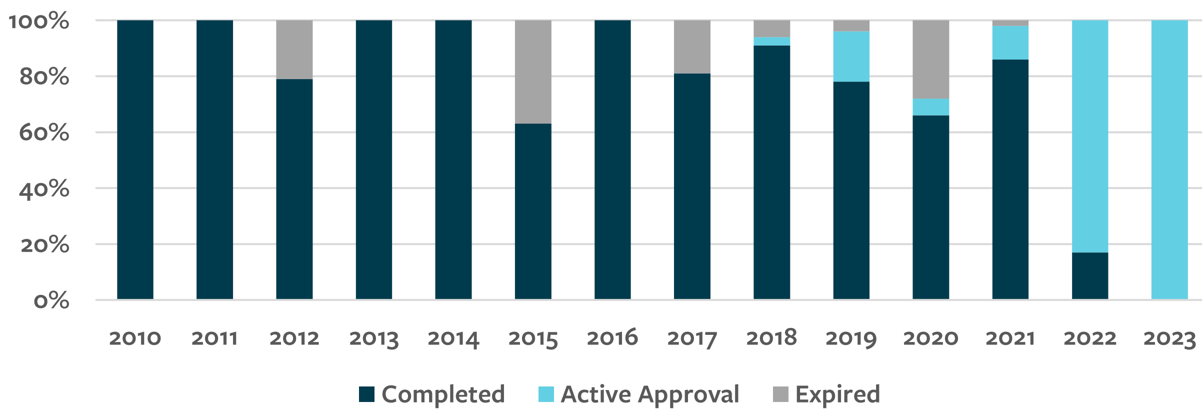


Figure 23: Planning Board Approved Project Completion & Expiration by Year



- **Inclusionary zoning**
  While a complete picture on the impact of the City's IZ policy continues to unfold, evolving trends to follow include:

  - Patterns in the form of IZ projects. Five of the six projects subject to the Green New Deal IZ requirements have been proposed as adaptive reuse projects, converting commercial space to residential units within historic districts. One project was proposed as new construction (Winchester Woods).
  - The use of partnerships to meet IZ requirements. Private developers are partnering with non-profit affordable housing developers, leveraging affordable housing subsidies to provide IZ units off-site.
  - The scale of projects in relation to IZ. There is some evidence of a trend toward larger subsidized affordable housing projects and smaller market rate projects less than 10 units.

  In the future staff will continue to monitor impacts of the City's IZ policy.

City of Portland |Housing and Economic Development Department
Gregory Watson, Director

To: Housing and Economic Development Committee
Councilor Pious Ali, Chair

MEETING DATE

July 16, 2024

AGENDA ITEM
Agenda Item # 3 - Policy Discussion: Parklet/Outdoor Dining Program

PURPOSE
To facilitate the Committee's potential policy changes to the existing City of Portland outdoor dining program, staff have prepared an overview of the current program, its development, and past proposals discussed by the Committee.

COMMITTEE WORK PLAN/CITY COUNCIL GOAL ALIGNMENT
This item was included in the 2024 Work Plan for the Housing and Economic Development Committee at the recommendation of Councilor Rodriguez.

BACKGROUND/ANALYSIS
In accordance with City Code (Sec. 25-27), restaurants may be permitted to provide outdoor dining on sidewalks, parking spaces, and other public ways. Operational standards for this program are established in Code as well as administrative rules.

The outdoor dining season varies depending on the location. For most locations, including sidewalks and public parkland, the outdoor dining season runs from April 1 through November 30 of each year (in accordance with administrative rules). For dining activity in parking spaces ("parklets"), City Code (Sec. 25-27(b)) limits the outdoor dining season to April 15 to October 31. The shorter season for parklets was based on the potential for snowfall and resulting issues relating to driver safety and snow removal operations. (The enclosed May 10, 2022 memo provides additional details on the challenges of operating an outdoor dining program in the winter - even during the pandemic, when the availability of outdoor dining was a lifeline for many businesses, interest in operating outdoors in the winter was minimal.)

In the past, staff and the Committee have collaborated to consider various changes to the program. For example, in 2023, staff extended the outdoor dining season on sidewalks from November 15 to November 30. The new date was determined by a survey of licensees; 41% of respondents were strongly in favor of extending the outdoor dining program, but very few were interested in operating outdoors into December.

FISCAL IMPACT

N/A (Depending on the policy action, an expanded outdoor dining season may result in additional expenses. Staff will evaluate and provide a fiscal impact statement if necessary when proposed policy details are available.)

CONCLUSION(S)

N/A

PRIOR COMMITTEE REVIEW

The 2024 Housing and Economic Development Committee has not yet discussed this item. The topic was discussed by the Committee in the recent past, including at meetings on April 19, 2022, May 17, 2022, and August 15, 2023. Memos related to those meetings are enclosed.

PREPARED BY

Jessica Hanscombe, Director
Permitting and Inspections Department

Dena Libner, Assistant City Manager
Executive Department

Greg Watson, Director
Housing and Economic Development Department

ATTACHMENTS

Attachment A - Portland City Code, Section 25-27
Attachment B - Outdoor Dining on Public Property Administrative Rules
Attachment C -Parklet Outdoor Dining Rules.
Attachment D - Staff Memo dated April 15, 2022
Attachment E - Staff Memo dated May 10, 2022
Attachment F - Staff Memo dated August 8, 2023
Attachment G - Results of July 2023 Survey re: Outdoor Dining on Public Property

Sec. 25-19. Reserved.
Sec. 25-20. Reserved.
Sec. 25-21. Reserved.
Sec. 25-22. Reserved.
Sec. 25-23. Reserved.
Sec. 25-24. Reserved.
Sec. 25-25. Reserved.

DIVISION 2. PERMIT

Sec. 25-26. Required.

(a) No person shall place or cause to be placed in or on, or shall suspend over any street, way or public place in the city any article or thing whatsoever, including but not limited to portable sidewalk signs, except under a duly authorized permit therefor issued pursuant to the provisions of this division.

Except during declared festivals or other approved events that require a sidewalk occupancy permit under this section, this section shall not apply to a table or other structures used by (1) street artists to create or sell works of art or (2) individuals who set up a table and/or chairs in compliance with chapter 19, article II, sec. 19-24 subparagraph (a)(1),(2),(5) and (6), to engage in an activity other than commercial speech, protected by the first amendment to the United States and Maine Constitution including but not limited to the distribution of political or religious literature, or the gatherings of signatures on petitions.

(b) No person shall expand a food service establishment to the outside on any street, way or public place in the city except under a duly authorized outdoor dining permit issued pursuant to the provisions of this division.

(c) Notwithstanding this section, business owners may place benches or flower pots on city sidewalks without obtaining a permit, provided that the benches or flower pots are located directly in front of the business, that a minimum of four feet of open sidewalk remains for the free passage of pedestrians, and that such benches and flower pots are only permitted on the sidewalk during business hours.
(Code 1968, § 703.7; Ord. No. 370-78, 7-5-78; Ord. No. 353-84, § 1, 4-23-84; Ord. No. 57-05/06, 9-19-05; Ord. No. 93-07/08, 3-3-08; Ord. No. 26-11/12, 8-15-11)

Sec. 25-27. Fees and fines.

(a) The following fees are hereby established for the issuance of a revocable street and sidewalk occupancy permit:

(1) Objects other than portable signs, including but not limited to tables, chairs, barricades and bollards, minty-two dollars ($92.00) for one (1) fiscal year or any portion thereof;

(2) Portable signs, twenty-five dollars ($25.00) plus twenty cents ($0.20) per square foot of signage. Square footage is calculated pursuant to section 14-369(b) of the land use ordinance. Permits remain valid until there is a change:

a. In the sign dimensions; or

b. In the use, lessee or ownership of the business causing a change in the business name, design or dimensions.

(3) Vehicles, equipment, or construction materials, as follows:

a. The Parking Space Permit shall be $35.00 per day or any portion thereof;

b. The Sidewalk Permit shall be $32.50 per day or any portion thereof;

c. The Single Lane Closure Permit shall be $200.00 per day or any portion thereof; and

d. the Street Closure Permit shall be $400.00 per day or any portion thereof.

(4) Use of city property (including but not limited to festivals, events, promotions, demonstrations, parades, marches, road races, walkathons, fundraisers, press conferences, rallies, protests, sampling, poll taking, banners and public displays), fee as provided by annual order of the city council;

(5) Use of streets, ways or public places by street goods vendors as defined in Section 19-16 for purposes of vending, thirty-eight dollars ($38.00) per day or any

portion thereof;

(6) Permit to Portland's Downtown District or similar organization/business to hold events on not less than twenty-four (24) hours' notice to the city manager, within area or areas designated in permit, one hundred dollars ($100.00) per fiscal year or any portion thereof;

(7) Location of dumpster on city-owned property, except as part of a street festival or other special event declared by the city council, two hundred twenty-five dollars ($225.00) per fiscal year or any portion thereof.

(8) Operation of a bike sharing system (as defined in 25-31 below,) according to the following fee schedule:

Station-less Systems (or Hybrid systems not meeting 50% docking point threshold):

Initial Annual Permit Fee, per operator per calendar year:

Up to 250 bicycles	$1,500
251 to 500 bicycles	$2,500
More than 500 bicycles	$500 per every additional 250 bicycles or fraction thereof

Annual Renewal Fee (Station-less Systems), per operator per calendar year:

Up to 250 bicycles	$1,000
251 to 500 bicycles	$2,000
More than 500 bicycles	$ 250 per every additional 250 bicycles or fraction thereof

Bicycle Parking Mitigation: To help mitigate the increased bicycle parking demands of a Station-less Bike Sharing System, the operator will either: 1) provide and have installed within the public right-of-way bicycle parking sufficient to accommodate the equivalent of 10% of the number of bicycles deployed in the operator's fleet with approved bicycle racks in approved locations or 2) make a financial contribution to the Sustainable Transportation Fund for the purchase and installation by the City of bicycle parking sufficient to accommodate the equivalent to 10% of the number of bicycles deployed in the operator's fleet.

Station-based/Hybrid Systems (Station-based systems must provide at least 50% as many docking points as bikes):

Initial Annual Permit Fee, per operator per calendar year:

Up to 250 bicycles	$500
251 to 500 bicycles	$1,000
More than 500 bicycles	$250 per every additional 250 bicycles or fraction thereof

Plus $50 per approved docking station.

Annual Renewal Fee, per operator per calendar year:

Up to 250 bicycles	$500
251 to 500 bicycles	$1,000
More than 500 bicycles	$250 per every additional 250 bicycles or fraction thereof

Plus $25 per approved docking station.

Within one year following the issuance of the first permit for a bike sharing system, the fee schedule above is to be re-assessed.

Should the number of bicycles be increased during any calendar year requiring additional fees, the difference in permit fees paid to date will be payable and a revised permit application is to be filed before their deployment. A reduction in bicycles in any one calendar year will not trigger a refund of permit fees paid.

(b) The following fees are hereby established for the issuance of a revocable outdoor dining permit:

(1) Outdoor dining on sidewalks or public ways other than dedicated City parking spaces, eighty-four dollars ($84.00) plus two dollars ($2.00) per square foot of dining area per fiscal year or any portion thereof.

(2) Outdoor dining in parks, eighty-four dollars ($84.00) plus six dollars and thirty cents ($6.30) per square foot of dining area per fiscal year or any portion thereof. In no instance shall the total square footage of dining area equal more than 10% of park space, unless the applicant receives a waiver from the director of parks and recreation or his or her designee. For the purposes of this section, the area abutting the buildings which border Monument Square and extending ten (10) feet from the façade of said buildings shall be considered a sidewalk. The ten (10) foot area shall be measured from that portion of the façade that protrudes furthest into the sidewalk. The area beyond the ten (10) foot sidewalk shall be considered park space.

(3) Outdoor dining in one dedicated City parking space, $3,000 for a full season (April 15-October 31).

(4) Outdoor dining in two consecutive dedicated City parking spaces, $5,000 for a full season (April 15-October 31).

(c) The following violation fines are hereby established for the failure to obtain a street occupancy permit or follow an approved management plan for vehicle traffic and/or pedestrian detours:

(1) $125.00 per day for failure to obtain a revocable street and sidewalk occupancy permit; and

(2) $100.00 a day for failure to follow an approved management plan for vehicle traffic and/or pedestrian detours

(Code 1968, § 703.7A; Ord. No. 472-71, § 1, 9-20-71; Ord. No. 409-75, 7-21-75; Ord. No. 379-79, 12-3-79; Ord. No. 353-84, § 2, 4-23-84; Ord. No. 592-84, § 1, 5-21-84; Ord. No. 145-96, § 2, 1-17-96; Ord. No. 63-98, 8-3-98; Ord. No. 76-98, § 1, 8-17-98; Ord. No. 225-00, 5-15-00; Ord. No. 279-01, 5-21-01; Ord. No. 223-01/02, § 3, 5-6-02; Ord. No. 250-04/05, 5-16-05; Ord. No. 246-05/06, 5-15-06; Ord. No. 93-07/08, 3-3-08; Ord. No. 226, 5-17-10; Ord. 247-14/15, 6-24-2015; Ord. No. 189-17/18, 4-18-2018; Ord. No. 218-17/18, 7-1-2018; Ord. No.

217-17/18), 7-1-2018; Ord. No. 193-18/19, 4-8-2019; Ord. No. 244-18/19, 5-20-2019; Ord. No. 79-20/21, 9-21-2020; Ord. No. 46-21/22, 9-20-2021; Ord. 256-21/22, 7-1-2022; Ord. No. 209-23/24, 6-3-2024)

Editor's note--The boundaries for the Portland Downtown District (formerly known as the Downtown Improvement District and Portland’s Downtown District) were created by Order Number 306-92, passed on March 16, 1992, amended by Order Number 185-95, passed on February 22, 1995 and amended by Order Number 158-04, passed on March 1, 2004 with an effective date of July 1, 2004. The boundaries were expanded by Order 242-17/18, passed on June 18, 2018.

Sec. 25-28. Issuance after approval by city manager; regulations.

The city manager or his or her designee is hereby authorized to issue revocable permits for the location, protection, maintenance and use of structures, trees, and other installations placed in, on, above, or beneath public ways or other property, and for outdoor dining on any street, way or public place upon receipt of proof of insurance in a form and in an amount satisfactory to the city. The director of parks and recreation or his or her designee is hereby authorized to issue revocable permits for outdoor dining in city parks. The city manager is also hereby authorized to promulgate from time to time such reasonable rules and regulations governing the design, construction, size and location of portable sidewalk signs as may be consistent with this division and in furtherance of the public interest, such rules and regulations to be submitted to the city council for approval. The city manager is further authorized to promulgate such other regulations as may be required for the location of other installations or structures in or use of the public ways, and for outdoor dining on streets, ways or other public places.
(Code 1968, § 703.7A; Ord. No. 472-71, § 1, 9-20-71; Ord. No. 409-75, 7-21-75; Ord. No. 379-79, 12-3-79; Ord. No. 353-84, § 3, 4-23-84; Ord. No. 145-96, § 3, 1-17-96; Ord. No. 93-07/08 3-3-08)

Sec. 25-29. Content.

The permit issued under this division shall contain such terms, conditions and restrictions as the city manager shall require.
(Code 1968, § 703.7A; Ord. No. 472-71, § 1, 9-20-71; Ord. No. 409-75, 7-21-75; Ord. No. 379-79, 12-3-79)

Sec. 25-30. Revocation; removal of installation.

The permit issued under this division shall be revocable by the city manager by written notice to the holder of such permit. Any such structure, tree or other installation, or furniture

City of Portland | Permitting & Inspections Department
Jessica Hanscombe, *Director*

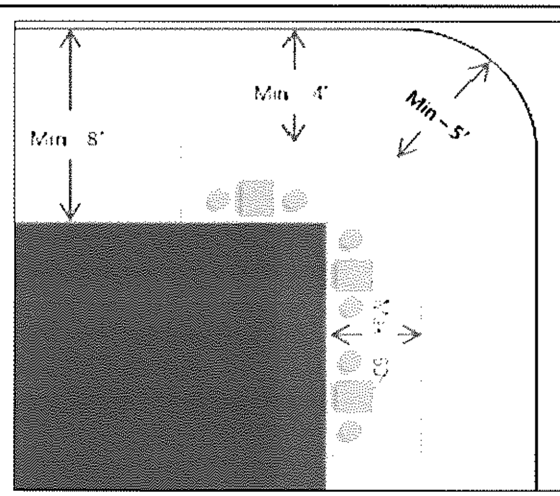
Outdoor Dining on Public Property
Administrative Rules

I. <u>Design and Construction</u>

- Location of proposed space must be on a sidewalk that is at least 8' in width.
- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes to existing straight passage is at the discretion of the City.

Existing Side Width (Property line to curb)	**Sidewalk Dining Allowed?**
< 8'-0"	No
≥ 8'-0"	Yes - up to 60%

Sidewalk Type	**Required Passage Width**
Straight Section	4'-0"
Corner Section	5'-0"



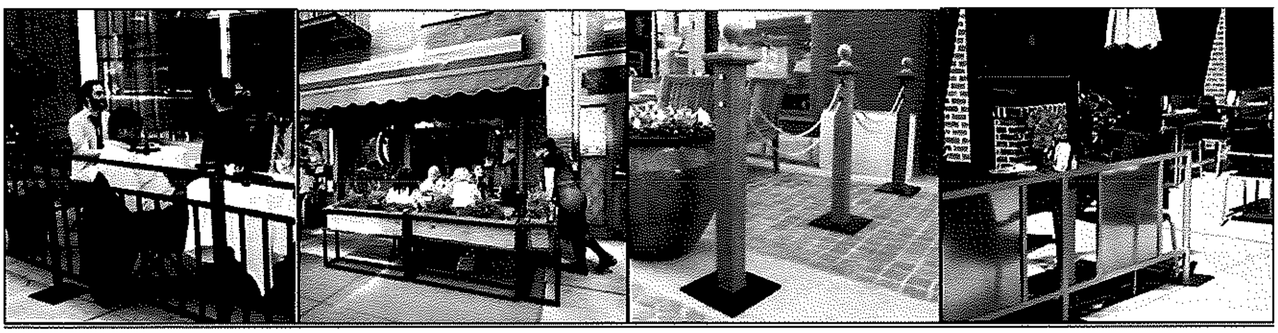
- Egress from buildings must be maintained free of obstruction.
- Permanent fixtures, such as awnings, require a building permit separate from the Outdoor Dining permit and subject to approval by the Building Authority.

- Umbrellas do not require a permit.
- Umbrellas must be secured and maintain the height clearance for sidewalk passage.

II. Barriers

- If barriers are proposed, they must be free-standing. Physical attachments to a building are not allowed.
- Barriers are required if alcohol service is provided.
- Stanchions and ropes are encouraged. Sectional fencing is allowed with a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- Shall not exceed 42" in height and may not include commercial signage.

Example barrier types that meet regulation



III. Maintenance and Operations

- Operation of outdoor dining space is allowed beginning on April 1st and ends November 30th of every year. All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- No food shall be prepared in the designated outdoor dining area. Outdoor dining areas are expressly designated for dining and dining service. Walk-up and take-out services are not allowed in outdoor dining spaces on public property.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.
- The permit holder is responsible for keeping the outdoor seating area clean.

Approved:

Anne McGuire ____________________ Date: 8/16/2023

Signed: Anne McGuire, Assistant City Manager

Attachment C

CITY OF PORTLAND
Permitting and Inspections Department

Parklet Outdoor Dining
Supplemental Application Process

What is Needed to Apply:

- ☐ Letter of intent addressed to the Mayor and members of the City Council (if serving alcohol).
- ☐ 8 ½" x 11" Plot Plan showing: (see design and construction section)
  - Lot lines, where the building sits on the lot and dimensions of the building and lot.
  - Street location and the intersecting streets.
  - Location of proposed outdoor dining area and its components (tables, chairs, barriers, etc.), including dimensions and total outdoor dining area in square feet.
- ☐ A drawing, photo or specifications of any required barrier solutions. Please request additional information if located on Wharf Street.
- ☐ Proof of Public Liability insurance coverage. The permit holder is required to produce at the time of submission and maintain public liability insurance coverage of not less than) one million dollars ($1,000,000) combined single limit for bodily injury, death and property damage, naming the City as an additional insured.
- ☐ City application for food & alcohol
- ☐ State of Maine Request for Extension of License Privileges for an On-Premises Establishment
- ☐ Outdoor Dining Supplemental application
- ☐ Have applied for building permit for dining platform from Building and Permitting
- ☐ Payment of fees (see application)

The application must be complete in order to be accepted and processed. Applications must be submitted at least three (3) weeks prior to the Council meeting. There will be no liquor applications heard by the City Council in May due to fiscal items on the agenda.

After you submit your application to the Business Licensing Division:

- We will mail you a letter confirming the date, time, and location of the City Council meeting.
- Please proceed with arranging for inspections when your establishment is ready.
- This will still require council approval after all departments have approved the space and can be before a building permit is issued

After you have been approved by City Council:

- When the Business Licensing Division has received all approvals from the required departments, we will issue your license. We will call you when the license is ready and notify you of the remaining balance due. You may contact us for a license status update, but please note that we must receive approvals directly from all departments on the accompanying "Steps to Approval" sheet before issuing your license.

CITY OF PORTLAND
Permitting and Inspections Department

Outdoor Dining License – Steps to Approval

In order for the Business Licensing Office to issue your license, we must receive approvals directly from the following departments:

- Permitting and Inspections (Code Enforcement, Health Inspections and Zoning)
- Fire
- Treasury
- Police
- Parking Department
- Public Works

Your responsibilities include:

☐ Contacting the Permitting Department (Room 315) at buildinginspections@portlandmaine.gov or 207-874-8703 to apply for a building permit. Plans with construction details for the proposed platform will be required
*Please note: Permitting will determine the amount of extra seating you can apply for

☐ Contacting Health Department at tw@portlandmaine.gov or 207-756-8365 to arrange for an inspection of the outdoor space.

☐ Contacting the Treasury Department at treasury@portlandmaine.gov or 207-874-8490 to determine if you, the owner of your business premises, or the previous business tenant, owe any outstanding taxes to the City of Portland. We cannot issue a license if there are delinquencies on the part of the business owner or landlord.

Once we have received approvals from the departments listed above, we will issue your license and contact you. Any balance of the license fee will be due before you receive the license.

If you have any questions about this process, please contact the Business Licensing Division:

CITY OF PORTLAND
Permitting and Inspections Department

Parklet Outdoor Dining
Supplemental Application

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License
Valid April 15-November 1

☐ Legal Advertisement Deposit $100.00

☐ 1 Parklet space $3,000.00 ☐ 2 Parklet spaces $5,000.00

Business Information			
Establishment Name (d/b/a):		Phone:	
Location Address:	Zip:		
Mailing Address:	Zip:		
Contact Person:		Phone:	
Contact Person Email:			
Manager of Establishment:	Date of Birth:	Phone:	
Owner of Premises (Landlord):			
Address of Premises Owner (Landlord):	Zip:		

Owner Information

Corporate Name	Corporate Mailing Address
	Zip:

Contact Person:		Phone:	

Principal Officers	Title	Date of Birth	Residence Address

About Your Establishment

Class of License:	
Type of food served:	
Please circle all that will be served:	Beer Wine Liquor
Hours & days of operation:	
Number of Tables	
Number of Chairs	

Parklet Regulations

Pursuant to Chapter 25 of the City's Code of Ordinances, a permit is required for expanding food service to the outside of all properties. Outdoor dining permits for parking and other alternative public spaces will be issued under Chapter 25 and these regulations pursuant to the following requirements:

- Any food service operation located on City property pursuant to a permit issued hereunder must comply with state and local laws with respect to service of food and/or alcohol;
- For any outdoor dining operation located in a public parking space, the permit holder shall construct a platform, on which tables and chairs will sit. The platform must be built of durable, slip resistant materials such as composite plastic or construction-grade lumber. This platform may remain for the entire outdoor dining season (April 15-November 1) but must be removed upon conclusion;
- Any space occupied hereunder must be laid out in such a way that it complies with the requirements of the Americans with Disabilities Act. Including 5% of handicap seating. The required platform must be flush with any abutting sidewalk.
- Any movable items on the outdoor dining area must be secured against wind and theft and locked or removed when the business is closed.
- Any outdoor dining spaces permitted hereunder must be located immediately in front of the business. Where parking spaces are not striped (such as in multi-space meter areas) the location of any outdoor dining space must be located to minimize loss of effective parking spaces
- Only 2 hour metered parking spots can be utilized. Parking spot size is 8 feet by 20 feet.
- Any outdoor dining space must provide railings or other substantive barriers *along the edges* to protect patrons;
- Wheel stops satisfactory to the Permitting & Inspections Director must be placed at the front and rear sides of the outdoor dining platform, no less than 4 feet from the edges of the platform. In addition, flexible bollards shall be provided at the corners of the platform.
- Construction of the platform must allow water runoff to easily flow under platform;
- No attachments to the pavement or curbing are permitted;
- No covers are permitted over the outdoor dining space other than umbrellas;
- No advertising other than labels identifying the business is permitted on the outdoor dining space;
- No outdoor dining space in the vehicular right of way is permitted within 15' of an intersection;
- No outdoor dining space will be permitted within the vehicular right of way on a high traffic street, as determined by Public Works. Generally, these streets have a speed limit of over 25 miles per hour, a traffic volume of over 5,000 AADT, or a functional classification of Arterial or above;
- No outdoor dining space will be permitted on a street that does not have 12' clear in the middle after all parking and platforms are accounted for; and
- In any street that is entirely closed to traffic at certain times of the day, the street may be used for outdoor dining subject to relevant requirements listed above, adjusting for the unique condition of an entirely closed street.
- Street Closures include: Wharf Street, Dana Street, and Milk Street (between Exchange and Market only)
- After 4/15/22, Middle Street will go back to normal and the businesses will need to apply for a regular Parklet

Barriers

- Shall not include commercial signage.

Maintenance and Operations

- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signature ______________________________________ Title_________________________ Date______________

For Administrative Use Only

Fire:____________________________ Health:_____________________________

Parking:__________________________ Permitting:__________________________

Police :_________________________ Treasury:___________________________

City of Portland | Executive Department
Dena Libner, *Chief of Staff*

To: Members of the Housing & Economic Development Committee
From: Dena Libner, Chief of Staff
Date: April 15, 2022
Re: Overview of the Outdoor Dining Program

The purpose of this memo is to describe the recent history of changes in the administration of Portland's outdoor dining program, as well as current rules and regulations.

The City of Portland's Outdoor Dining Program is enabled by three different types of outdoor dining permits: public property (primarily sidewalks), private property, and parklets.

While the permits for outdoor dining on public and private property have not changed in recent history, the rules related to parklet permits have evolved significantly since they were first enacted by the Council (April 2019). This is due in large part to administrative changes made during the COVID-19 pandemic, which were implemented in order to slow the spread of the virus and help businesses survive the pandemic's economic impact.

Below is a brief overview of the history of the parklet program's evolution.

April 2019: Passage of first "parklet ordinance" (Order 193-18/19)

Consideration of this order was prompted in part by a change in State law, allowing establishments with liquor licenses to serve alcohol on public property not immediately adjacent to the licensed establishment if the municipality has given its approval.

Order 193-18/19 created a new outdoor dining permit to enable "parklets" for the first time. Businesses were required to meet certain requirements in order to be eligible (e.g., not being immediately adjacent to sidewalk space where outdoor dining could take place), and the number of parklets allowed citywide was capped. Businesses were limited to one parklet each, and the application fee was $5,520. Interest in this program was extremely limited.

June 2020: Pandemic-era outdoor dining program begins

In May 2020, the Council amended an emergency order enacted in response to COVID-19 to allow the City Manager to temporarily close streets and expand outdoor commercial premises.

A significant number of temporary administrative changes were made to the existing outdoor dining program to enable social distancing and help businesses survive. Those changes included no cap on the number of parklets allowed citywide; a limit of two parklets per business; an 80% reduction in initial application fees; the closure of six streets to traffic; and outdoor dining being permitted year-round.

This version of the program continued until April 15, 2022, when all outdoor dining permits approved during the pandemic expired.

September 2021: Council, City Manager adopt Open Air Portland

Through a combination of administrative rule changes and Council amendments, some elements of the COVID-era outdoor dining program were made permanent.

These included the permanent closure of Dana Street and Milk Street (between Exchange and Market) to through-traffic; the ability of businesses to apply for up to two parklets; a permanent fee reduction; no cap on the number of parklets allowed citywide; and fewer eligibility restrictions.

These changes are currently in effect and were applied to parklet applications for the April-November 2022 season.

	Pre-Pandemic	Pandemic Era	Open Air Portland
Parklet Regulations	• Citywide Cap (5) • Eligibility Restrictions • One per business	• No cap • Fewer eligibility restrictions • Two per business	• No cap • Fewer eligibility restrictions • Two per business
Parklet Fees	$5,520 application fee	$1,092 application fee	One parklet: $3,000 Two parklets: $5,000
Street Closures*	None	• Exchange (2020) • Dana • Wharf • Milk • Boothby Square (2021) • Middle (partial)	• Dana • Wharf • Milk (Market and Exchange) • Amend Festival Order for Middle
Seasonality	Outdoor business activity permitted April - November	Outdoor business activity permitted all seasons	Outdoor business activity permitted April - November

This table was originally included in backup materials for the Council's September 20, 2021 consideration of Open Air Portland.

Outdoor Dining Permits Issued Over Time

The below table shows the number of active outdoor dining permits for the 2019, 2020, 2021, and current seasons (April to November of each year).

The spike observed for the 2020 and 2021 seasons is related to the addition of temporary outdoor dining permits established in response to the pandemic.

The majority of licenses for temporary outdoor dining on public and private property were issued to businesses that also renewed a more permanent outdoor dining license. In other words - while the number of active permits increased significantly, the increase in the number of businesses operating outdoors was not as significant.

Type of Permit Issued	2019 Season	2020 Season	2021 Season	Currently*
Parklet	0	23	34	8
Public Property	64	134	120	11
Private Property	118	165	145	21
Total	182	322	299	40

**As of April 13, 2022, the Council has approved the issuance of 13 new outdoor dining licenses for the current season. At least 24 more new applications are scheduled to come before the Council for consideration.*

The other 27 permits represented in the above table are renewals. Since permits expire at various times over the course of a calendar year, that total number for 2022 is likely to continue to increase until December 31, 2022.

Growing Pains

Adapting to meet the many challenges of the last two years has been difficult for both City staff and restaurateurs. The surge in outdoor dining applications has been overwhelming for Business Licensing staff, who have been tasked with administering a rapidly expanding and increasingly complex program without any additional resources.

In an effort to help businesses make it through the pandemic, staff were lenient in their enforcement of City Code. This was an uncomfortable and unprecedented position for them to be in, but they worked diligently to find a balance. In short - they were doing more than ever before, in a different way than ever before.

This year's return to relative normalcy has been accompanied by its own set of challenges for applicants and staff. For most applicants, this is the first time their outdoor dining applications have been subject to City Code. For many of them, the application of Life Safety Code, Building Code, and Plumbing Code will mean they cannot expand their capacity to the extent they did during the pandemic; for some applicants, it will mean they cannot expand at all.

Staff appreciate how difficult the past two years have been for small business owners, and are committed to doing what they can to be supportive and helpful throughout the application process. We will continue to work closely with applicants to determine their eligibility for outdoor dining and provide helpful solutions whenever possible.

City of Portland | Executive Department
Dena Libner, *Chief of Staff*

To: Members of the Housing & Economic Development Committee
From: Dena Libner, Chief of Staff
Date: May 10, 2022
Re: Staff Feedback on Winter Outdoor Dining Program

Summary

The purpose of this memo is to share staff feedback on the concept of a Winter Outdoor Dining Program in Portland. While we share the Committee's interest in supporting small businesses, our experience in administering a winter outdoor dining program during the pandemic leads us to believe that the benefits of and demand for such a program do not justify the significant cost.

Feedback: Low Demand, High Costs

Given existing staffing levels and programs, we would not be able to develop, administer, and enforce regulations related to a winter outdoor dining program without hiring additional staff. The Permitting & Inspections Department estimates that up to three new staff members (a plan reviewer, an inspector and a licensing assistant) would be needed for these purposes, carrying a cost of approximately $200,000 annually.

The consequences of an understaffed program were obvious during the pandemic, when the City continued its outdoor dining program through the winter. In winter 2020/2021, 42 restaurants received outdoor dining permits. However, only a small minority used them. Instead, they used parking spaces intended for parklets as storage space for tables, chairs, and concrete barricades. The end result - toppled furniture, piles of dirty snow, and the unnecessary loss of parking space - created an atmosphere of neglect, not vibrancy.

A winter outdoor dining program would also require the development of seasonally-unique requirements that take into account snow removal operations, winter driving conditions, and demand for heaters, among other things. Making sure these requirements are enforced in the field and that parking spaces are used for parklets, not storage, is costly, requiring regular inspections and re-inspections.

In addition to staffing costs, the Department of Public Works' placement and removal of additional barricades would carry a cost of up to $100 per block (~$800 per parklet). In addition, the loss of wintertime parking revenue is estimated at approximately $460 per month, per parklet.

Snow removal crews also observed safety issues resulting from the buildup of snow and ice next to parklet blocks. The buildup causes the navigable part of the roadway to narrow significantly over the course of the winter, making wintertime driving more difficult than usual. Plowing alongside and around parklets also slows snow removal operations, impacting our ability to make all roads as safe as possible for drivers.

As referenced above, demand for outdoor dining in the winter has proven to be low. During the pandemic - a time when businesses were exploring every opportunity to survive - very few were interested in continuing to operate outdoors past mid-November. In the 2020 outdoor dining season (April to November), 322 outdoor dining permits were issued. That winter (December to April), only 43 outdoor dining permits were issued - most were not used. In April 2021, however, the number of active outdoor dining permits skyrocketed to 299.

Recommendation

Currently, the City of Portland's outdoor dining season for parklets runs from April 15 to October 31. This schedule was established by the City Council in 2019, and is outlined in Sec. 25-27(b)(1) of the City of Portland Code of Ordinances.[1]

To respond to the growing interest in outdoor dining, we suggest that the Housing & Economic Development Committee consider recommending an amendment to Section 25 of City Code to increase the parklet outdoor dining season by an additional month (April 1 to November 15), providing restaurant owners with more time during which they can operate outdoors.

[1] The outdoor dining season for all other public property is April 1 to November 15. This schedule is not set forth in City Code; we believe it may have been established as a Department rule, but have been unable to confirm.

City of Portland | Housing and Economic Development Department
Mary P. Davis, Interim Director

MEMORANDUM

To: Councilor Pious Ali, Chair
Members of the Housing and Economic Development Committee

From: Mary Davis, Interim Director, Housing and Economic Development Department

Date: August 8, 2023

RE: Proposed Revisions to the Outdoor Dining on Public Property Program

In response to inquiries from area businesses to expand the Outdoor Dining on Public Property Program, Housing and Economic Development Department staff, in partnership with the Permitting and Inspections Department and the Public Works Department, created a survey that was sent to all establishments that currently have an outdoor dining on public property license. The survey was sent to 73 email addresses and was open for responses for three weeks. Seventeen responses were received (23% response rate). Seven respondents were strongly in favor of extending the outdoor dining program in the winter with November being the month with the highest interest.

Extending the outdoor dining program through the winter months presents several challenges, the most significant being snow removal operations (see attached memo dated May 10, 2022 regarding staff feedback on the concept of a Winter Outdoor Dining Program). Given those concerns, staff is suggesting that the outdoor dining on public property be extended through November 30, for sidewalk dining only. Currently establishments that have a license for a parklet on public property can operate from April 15 – October 31. No changes are proposed for this program.

Currently, establishments that have a license to operate outdoor dining on a public sidewalk can operate from April 1 – November 15. Under this new proposal, establishments with a parklet license can apply for a sidewalk dining license and extend their outdoor dining options through November 30 and establishments with a current sidewalk license can extend their outdoor dining options through November 30.

Fees: Establishments with existing license to operate outdoor dining on a public sidewalk, will not incur additional fees.

Establishments wishing to convert from a Parklet to Sidewalk license for the time period of November 1, 2023 to November 30, 2023 will work with Permitting and Inspections Staff to convert the license. Applicants will not incur additional fees.

These changes can be made administratively and do not require council action.

Attachment:
5-10-2022 Winter Outdoor Dining Memo
Outdoor Dining on Public Property Administrative Rules
Parklet Outdoor Dining Rules

City of Portland | Executive Department
Dena Libner, *Chief of Staff*

To: Members of the Housing & Economic Development Committee
From: Dena Libner, Chief of Staff
Date: May 10, 2022
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Outdoor dining on public property

Survey Results
July 21, 2023

The survey was sent to 73 email addresses, in two separate mailings.

- A total of 20 responses were received, three of which were duplicates, for a total of 17 unique responses
- Response rate: 23%
- Seven respondents were strongly in favor
- November was the month of highest interest (with seven “Very Likely” responses
- December was the month of second highest interest (with six “Very Likely” responses)

Restaurants that responded and overall support (green=strong support; red=little support)

Bonfire Country Bar

Bread and Friends

Cheese Louise

Hunt and Alpine Club

Navis Cafe

Wayside Tavern

Duckfat

Independent Ice

Via Vecchia

Cellardoor Winery

Solo Italiano

Ribolita

Friends and Family

Amigos

Dock Fore

Mami

Gorgeous Gelato

Comments received:

Bonfire: Please let the people who desire outdoor spaces to do it. Don’t let the negative people effect the decision I hope that people support. Even if they are not interested, the companies who could utilities it, should! Thanks for considering this.

Hunt & Alpine: I would strongly encourage the City to provide opportunities for businesses like mine to utilize outdoor dining. During the years allowed, guests loved it and our business benefited from the extra seats. If allowed, we would absolutely utilize year-round outdoor dining. Thank you for considering this!

Via Vecchia: We would also love to do a holiday theme decor in December

Amigos: I feel that if the summer permit were just extended to 12/1 most participants might be interested

Cellardoor Winery: Our allowed seating is too small already, sidewalk not parklet.

Comments received:

Dockfore: I hope this happens.

And also sent via email: THANK YOU ! I have emailed 3 council members, as well as Cory from PDD,and got zero replies from them about making this a possibility. I would definitely be on board and my suggestion to them was that if anyone had a violation by leaving seating outdoors during a plowing event, they would lose their permit for not only the the winter,but also in the summer permanently. This would make compliance easier and only serious establishments would take out the permit. During covid, I had tables on the sidewalk that were brought in nightly. People were out there even during cold spells, but that was different. Many of us also got city grants to purchase heating and equipment for outdoor dining that could now be used again. We now have many days in the winter that customers would gladly sit outside, especially in November ,February and March if offered the choice.

If Portland wants to grow it's reputation as a foodie destination, I think this is a big step in the right direction. Feel free to contact me if you like.
Shaun McCarthy
Dock Fore

Comments received:

Duckfat: Thank you so much for bringing this up for consideration. I have written to the City in length about this because we have been utilizing this winter outdoor seating program since 2012. We worked at length with then Jon Jennings and the city council to find language and regulations to put this program in place. We attended a city meeting for approval, submitted a winter maintenance plan, wrote a letter to the Mayor and invested over 18,000 to build an enclosure that was compliant. We filled out the outdoor dining application each fall and paid the same fees as summer and got a permit. Once Covid hit, outdoor dining became essential and new temporary regulations were put in place…. (see next slide)

Duckfat comments, page 2

…After “things going back to normal” we just assumed that this program would be back in place. The city instead told us there was no program and looked at our restaurant as being noncompliant and had us sign a legal document stating that we had been noncompliant in order to get our liquor license, outdoor dining, and parklet applications approved. I was also informed that we had been the only restaurant that had utilized this program over the years. I know that the City has had a lot on its plate since Covid and I want to help in anyway possible to assist in programs like this. These types of programs keep our City relevant and help revenue flow in winter months. This would be our 11th year utilizing this program and it allows for us to keep our staff employed year round. Without this additional seating it would be necessary for us to lay-off staff the end of October. Please let us know if there is anything that we can do to help. Winter programs are hugely successful in so many cold climate citys and we feel Portland would benefit greatly with this. Sincerely Nancy Pugh 207-749-8564

City of Portland | Housing and Economic Development Department
Housing and Community Development Division
Mary P. Davis, Division Director

To: Councilor Ali, Chair
Members of the Housing and Economic Development Committee

MEETING DATE
July 16, 2024

AGENDA ITEM
Affordable Housing and Tax Increment Financing Development Funding Requests for 42 Atlantic Street.

PURPOSE
42 Atlantic Street is requesting an Affordable Housing Tax Increment Financing and Credit Enhancement Agreement.

COMMITTEE WORK PLAN/CITY COUNCIL GOAL ALIGNMENT
Increase, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.

BACKGROUND/ANALYSIS

42 Atlantic Street (Atlantic Street Apartments): LB Development Partners LLC is requesting an Affordable Housing TIF (75% for 30 years) to demolish the former American Legion building to construct a four-story elevator-assisted building with 30 rental units for low income households.

The building would be comprised of 14 studio, 8 two-bedroom, and 8 three-bedrooms apartments. Of the 30 units, 12 would be reserved for households earning at or below 60% AMI (i.e. $61,200 for a two-person household), and 18 would be reserved for household earning at or below 50% AMI (i.e. $44,650 for a one-person household). Three units (10% of the units) would be set aside for people who have been experiencing homelessness. Another three units (10% of the units) would be set aside for households with special needs (i.e. domestic violence survivors, individuals with mental health diagnosis). LB Development Partners LLC intends to seek six Section 8 Project-Based Vouchers from MaineHousing. The property would include a laundry room, community room, bicycle maintenance room, and tenant storage room. After completion, the project would be managed by Preservation Management, Inc. LB Development Partners LLC is talking to two area non-profits about a partnership to assist tenants with special needs. The new apartments would meet or exceed Portland's Green Building Ordinance. Construction would begin April 2025 and be completed October 2026.

The underwriting recommendation is for an AHTIF at 75% for 20 years, with an additional 10 years at 25%, conditioned upon satisfactory review of the following:

- A Current market study supporting the projected rent structure;
- Appraisal;
- Satisfactory evidence of sufficient working capital available to support the project, which could be in the form of a letter of credit, in an amount no less than $100,000;
- Current financial statement for LB Atlantic and LB Development Partners;

Financing commitments for debt and equity on terms and conditions acceptable to the City of Portland; Planning Board approval;

- All standard construction conditions, including satisfactory review of final contract with CG consistent with budgeted estimates, and total contractor overhead, profit and general conditions not to exceed 14% of net construction costs.

FISCAL IMPACT

- When completed, the project's total assessed-value is estimated at $3.6 million, which would yield $53,172 in annual assessed property value in year one at the current FY24 millage rate;
- The approximate total amount of tax revenue (aka captured valuation) that would be returned to the project/developer is $1,208,967 in total after the 30-year term (or $40,299 per year averaged over the 30-year term);
- The approximate total amount of tax revenue (aka non-captured valuation) that would be deposited into the general fund is $991,298 in total after the 30-year term (or $33,043 per year averaged over the 30-year term);
- If the project is not completed, the tax yield on this non-profit property remains at $0. The tax revenue returned to the project/developer is $0, and the amount of tax revenue that would be deposited into the general fund is $0.
- With the tax sheltering benefits of TIF Districts, overall savings to the City during the term of the district averages an estimated annual amount of $16,390+, or $491,701+ over the life of the district

CONCLUSIONS

Recommendations

1. Motion to recommend to the City Council approval of an Affordable Housing Tax Increment Financing District and Credit Enhancement agreement for the 42 Atlantic Street Project, with the terms as presented by staff.

PRIOR COMMITTEE REVIEW

None

PREPARED BY

Mary Davis
Division Director
Housing and Community Development Division

Victoria Volent
Housing Program Manager
Housing and Community Development Division

ATTACHMENTS

Attachment A – 42 Atlantic Street

B. Project Information

Completed by danblack@lbdevpartners.com on 5/14/2024 11:40 AM

Case Id: 30499
Name: LB Atlantic LLC - 2024
Address: 42 Atlantic Street, Portland, ME 04101-4415

B. Project Information

Please provide the following information.

B.1. Property Address
42 Atlantic Street Portland, ME 04101-4415

B.2. Project Name
Atlantic Street Apartments

B.3. Tax chart, block, and lot number
016 F001001

B.4. Zoning Designation
R6

B.5. Is the requested funding type HOME/HTF?
No

B.6. Requested amount of Affordable Housing Development Funding
$0.00

B.7. Is the requested funding type AHTIF?
Yes

AHTIF Terms:
50% for 30 years

B.8. Total number of housing units to be constructed:
30

B.9. Total number of housing units to be rehabilitated:
0

B.10. Total Number of market rate units:
0

B.11. Total number of deed restricted units:
30

B.12. Total number of Units at 120% AMI:
0

B.13. Total number of Units at 110% AMI:
0

B.14. Total number of Units at 100% AMI:
0

B.15. Total number of Units at 80% AMI:
0

B.16. Total number of Units at 60% AMI:
12

B.17. Total number of Units at 50% AMI:
18

B.18. Total number of Units at 40% AMI:
0

B.19. Housing Type
Rental

B.20. Total number of studio/efficiency units:
14

B.21. Total number of one-bedroom units:
0

B.22. Total number of two-bedroom units:
8

B.23. Total number of three-bedroom units
8

B.24. Total number of four-bedroom units
0

B.25. Total number of five-bedroom units
0

B.26. Property Manager
Preservation Management

B.27. When is construction expected to begin?
05/01/2025

B.28. Please use the box below to answer the remaining questions and provide a narrative description of the project that includes:

- **Description of municipal housing need and how the development addresses that need;**
- **Requested amount of Affordable Housing Development Funding;**
- **Description of how City's participation is financially necessary in order for the project to proceed;**
- **Description of allowed uses in the zone;**
- **Description of residential and non-residential uses in the area;**
- **Description of accessory uses relating to residential use, if any;**
- **Indicate if this project requires relocation of existing commercial or residential tenants;**
- **Description of relocation plan for persons temporarily or permanently displaced by development activities;**
- **Description of how the development is consistent with the Comprehensive Plan**
- **Description of how housing and facilities in the development will be operated after completion;**
- **Description of planned uses of tax increment revenues from the district (AHTIF projects only).**

Atlantic Street Apartments addresses many of Portland's current housing needs. Portland has a supply need: Atlantic Street Apartments would provide thirty (30) new apartments. Portland has an affordability need: Atlantic Street Apartments would provide deed-restricted affordable units available to households that make 60% AMI, 50% AMI and below. Portland needs more family units: Over 50% of Atlantic Street Apartment's units are 2- and 3-bedrooms. Portland needs more units to assist moving families out of the City-owned shelters: 10% of the units at Atlantic Street Apartments would set aside for households coming out of the City-owned shelter. Portland has a need for other forms of supportive housing for special needs populations in high opportunity area: Atlantic Street Apartments would set aside another 10% of units for households with special needs—domestic violence survivors, individuals with mental health diagnoses. (Developers are talking to two area non-profits about a partnership but have not finalized a relationship at the time of this application. Finalizing that relationship is a necessary step in the MaineHousing LIHTC application.)

LB Atlantic LLC is requesting necessary financial support from the City in the form of a 30-year 50% TIF. The TIF is required in order to make the project viable because, without the TIF, the project would not score sufficiently on the 9% LIHTC application to be awarded a LIHTC allocation—a roughly $9M investment of Federal funds in the community. Without this LIHTC allocation, the project would not be viable. More specifically, the two (2) points that would be awarded for a 30-year 50% TIF would push the project from a projected 69 points to 71 points. Given the level of competitiveness projected for the 2025 9% round and recently changes in the QAP that negatively affect Atlantic Street Apartments, we believe these two points will be crucial to scoring sufficiently to make the project financially viable.

Furthermore, the presence of the TIF does not create a situation where the project is over-subsidized. If a LITHC allocation is awarded to Atlantic Street Apartments, MaineHousing will work with the developer to ensure the project meets their agency's underwriting guidelines, which limits the allowable Debt Service Coverage Ratio and caps the per unit profit available. In other words, the awarding of a TIF is necessary to secure the State and Federal investment in the project to make it financially viable, but oversight by MaineHousing will mean that the amount Federal and State investment is sized appropriately to make the project viable but not over-subsidized.

Atlantic Street Apartments is in the R-6 zone. Allowable uses in this zone include single-family dwellings, two-family dwellings, multi-family dwellings, handicap family units, special needs independent dwelling units, lodging houses, government uses, bed and breakfasts, hostels, cemeteries, parks and open spaces, and solar energy systems (minor). Conditional uses in the R-6 include sheltered care group homes, elementary, middle and secondary school, hospitals, intermediate care facilities, long and extended care-facilities, places of assembly, pre-school facilities, post-secondary schools, general offices, off-street parking and utility substations.

The proposed multi-family use is in keeping with the Munjoy Hill neighborhood where the project is located. All the surrounding uses of the lot are residential. This building will have common areas and amenities associated with its residential use, but no other planned accessory uses.

The proposed site is currently vacant and uninhabitable due to significant mold issues. There would be no relocation or displacement as a result of this development.

The Atlantic Street Apartments development is consistent with Portland's Plan 2030. Specifically:
• "Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods" (Page 50): Atlantic Street Apartments will be centrally located and proximate to services. It will increase housing density along transit nodes and allow for greater economic diversity on Munjoy Hill.
• "Encourage quality, sustainable design in new housing development" (Page 50): Atlantic Street Apartments will meet all City and State requirements for green building design. In addition, the development team is taking steps to lower the embodied carbon within the building envelope.
• "Leverage underused properties": While this section is specific to city-owned properties, this development nonetheless fits the intent of this goal by taking an underutilized parcel—a vacant nearly quarter acre lot in a dense urban neighborhood—and bringing it back into productive use.

After completion, Atlantic Street Apartments will be managed by Preservation Management, a South-Portland based affordable housing management company that currently manages several deed-restricted proprieties in Portland. They will oversee building maintenance, tenant relationships and ongoing capital improvements. LB Atlantic LLC, the applicant, will continue to be involved in the ownership of the program as the general partner in the limited partner structure that is necessary to attracting Low Income Tax Credit investment.

The applicant is proposing to implement a "rental equity" model at Atlantic Street Apartments. The rental equity model was created by Rental Partnerships, a non-profit in Cincinnati, OH with the understanding that renters are as important to the fabric of many neighborhoods as homeowners but do not receive any of the long-term benefits that homeowners receive through real estate price appreciation.

Put simply, renters at 42 Atlantic will earn "equity"—i.e., cash—for remaining at and caring for the property. Landlords need to underwrite a certain amount of vacancy and turnover costs into developments. Typically, if tenants stay in their units for an extended period of time, the extra profit from that reduced vacancy and turnover just goes into the landlord's pocket. With rental equity, that extra profit is shared with tenants.

The applicant believes this model creates a win-win-win scenario. It is a win for the tenants because they are rewarded for the traditionally unacknowledged work that they are doing to stabilize neighborhoods and they have a vested interest in their neighbor's success as well. It is a win for the landlord because reduced turnover means reduced costs and tenants that are more invested in the long-term success of the development. And it is a win for the neighborhood because the renters feel more of a sense of ownership of the community and a desire to participate.

The tax increment revenue would be used to offset necessary operating costs. Specifically, the applicant is underwriting the project so that the revenue would reduce the burden of utility payments annually.

To: Mary Davis, City of Portland
From: Anne Boynton, Urban Ventures, Inc.
Re: 42 Atlantic, a project of LB Atlantic LLC, with sponsor LB Development Partners (LBDP)
Date: 7/7/24

LB Atlantic LLC requests a 75% TIF for 30 years for the proposed new construction of a 30-unit affordable rental housing development at 42 Atlantic, the site of a former American Legion Post in the Munjoy Hill neighborhood. The year 1 value of a 75% TIF would be $40,677 ($1,356/unit) and the 30-year value of the TIF would be $1,650,189 ($55,006/unit). No capital subsidy is requested.

Of the 30 units, 18 units (60%) will be affordable to households at 50% AMI and 12 units (40%) will be affordable to households at 60% AMI. As part of the Maine Housing 9% LIHTC competition and financing process, LB Atlantic expects to receive an allocation of 6 Project Based Vouchers (PBVs) from Maine Housing. This would provide up to 20% of the units with deep subsidy for households with special housing needs. Long term stayers in City shelters will be the target population for 3 units (10% of units) and 3 units will be set aside for households with special housing needs including domestic violence survivors or individuals with mental health diagnoses.

Sources and Uses

Sources:		Uses:	
Maine Housing Must Pay	$4,132,281	Acquisition	$179,775
Maine Housing 0% Deferred	$1,486,712	Construction hard costs	$ 9,497,518
Net Syndication Equity	$7,379,362	Hard & Soft Contingency	$517,000
		Soft costs	$1,515,952
		Capitalized Reserves	$538,110
		Developer Fee	$750,000
Total Sources:	$12,998,355	Total Uses:	$12,998,355

LB Atlantic plans to submit an application for 9% LIHTC in September, along with a request for mortgage financing and 6 PBVs from Maine Housing. While LB Atlantic as a corporate entity has no track record with residential real estate development, the managing partners, via LB Development Partners, have financed projects using a diverse range of sources. They have secured 9% LIHTCs for two projects in Maine and one in North Dakota. In Maine, they have also received commitments for 4% credits, Historic credits, and the State LIHTC.

LB Atlantic LLC is a new corporate entity (formed December 2023), controlled by Dan Black and Carl Lakari with additional members Jacqueline Potter and William Black. Dan Black and Carl Lakari also control LB Development Partners, which was created in 2019. LB Development Partners has served as development consultant to 3 completed projects ranging in size from 11 to 78 units. Their current portfolio of work in progress is in Maine. The 30-unit Atlantic Street property is typical of their project scale. They currently have 3 projects in construction, 3 projects with financing approvals moving towards construction, and 4 projects in predevelopment. Consistent with their vision of serving diverse needs in 42 Atlantic, their portfolio of projects serves a variety of target markets – family housing, senior housing, returning citizens, asylum seekers, and recovery programs.

A letter of interest from Evernorth is included as evidence of syndicator interest in the project, with a price of $.82, which is consistent with the budget assumption.

For analysis of "Uses," see Development Budget.

Development Budget

Construction Costs:

Construction costs are based on a trades break down estimate by Optimum based on drawings at the Conceptual Design Stage. (Trade breakdown is preferable to a cost per square foot estimate.) This estimate includes provision for prevailing wage requirements. Total construction cost per unit is $332,417. While this cost per unit would have been considered high prior to COVID, it is consistent with the current construction cost environment, especially considering the eight 3-bedroom units.

To improve energy efficiency, the development team is planning to use CROFT preconstructed panels for walls, roof and flooring. CROFT creates super-insulated panels from local ingredients, including Maine-grown lumber, organic straw, sheep's wool, and other carbon-storing materials. With an R value of 45.5, this is a 38% increase in R value over the non-panel, stick built design. The preconstructed panels should also reduce on-site construction time. Construction lending for modular units can be challenging for lenders who are unfamiliar with the process. Maine Housing has funded one project with modular construction (not with CROFT) and has stated publicly that modular is part of their vision for reducing construction costs. While Optimum (serving as construction cost estimator at this point – they have not been selected as GC) has not worked with CROFT before, the architect has worked with CROFT materials multiple times.

Soft Costs:

Soft costs are moderate and within industry standard. Developer fee is $750,000, the Maine Housing cap for funded developer fee. This is a reasonable fee by industry standards, 6.4% of total development costs, excluding reserves and developer fee.

Contingency:

A 5% hard cost contingency is carried in the GC's cost estimate. There is no additional contingency for inflation or early stage of design development. This project is vulnerable to construction cost inflation due to the relatively early stage of predevelopment, continued high level of economic uncertainty, and persistent inflationary pressures in the construction industry. In addition, the CROFT system is new to the developer, GC, lenders, and the City. Working out the novel questions may also take time and drive up costs.

Soft cost contingency is slender at $42,000, in a soft cost budget of over $1.5 million. This poses some risk to the project, especially at this early stage of project development

Acquisition and Environmental:

42 Atlantic LLC acquired the property in January, 2024, for $1,075,000, a cost per unit of $35,833. However, 42 Atlantic LLC proposes to sell the property to the project specific limited partnership for $179,775, or $5,993/unit. Dan Black states that: "We're doing this, in part, to be more competitive for a LIHTC allocation--the proposed sale price will garner two points per the QAP--but also because, despite being a "for-profit" our work is mission-driven. We view this as a community development project that will be a community resource and help maintain a modicum of economic diversity on Munjoy Hill…."

The public has an interest in insuring that publicly funded projects purchase the property for no more than the market value. This is particularly important where the buyer and seller are related parties, as will be the case when LB Atlantic LLC sells to the tax credit entity. A Broker's Opinion of Value has been submitted to support the acquisition price. This two-page assessment is much less useful than an appraisal (satisfactory review of which is a best practice condition of this recommendation). The Broker's Opinion of Value lists 5 lot sales in the Munjoy Hill neighborhood, the lot size and the cost per square foot. The cost per square foot ranged from a low of $82 to a high of $140, with larger lots predictably selling at a lower cost per square foot. The Broker selected $107/square foot, for an estimated value of $1,075,000. Without information about the date of sale and the characteristics of the sites, this is very minimal information to evaluate the estimate. However, if 30 units are allowed on the site AND the site requires no significant environmental remediation, it will certainly be worth more than the $5,993/unit sale price plus demolition costs.

No Phase I has been conducted on the site. McFadden Environmental conducted a Records Search with Risk Assessment dated 10/23/23. An underground storage tank was removed in 1995, with no releases associated with the tank. McFadden concludes the site is low risk of liability for hazardous substances or petroleum product releases. The site has been used for an American Legion post since the 1940s. Given the age of the structure, asbestos containing materials and lead paint should be assumed. Mold has also been mentioned in connection with the existing structure, which will be demolished.

Operating Budget & 30 Year Cashflow Projection

Project Income:

The operating budget is based on the maximum allowable LIHTC rents at each income level. The developer is requesting 6 PBV's from Maine Housing, which have a 110% of Fair Market Rent payment standard, substantially above the LIHTC capped rents at all unit sizes. This is the second year Maine Housing has offered this option.

No market study has been submitted by the developer. A satisfactory current market study is a recommended best practice condition of the TIF. No parking is proposed to be developed on the site. The location has a walk score of 85, "Very Walkable," with some neighborhood commerce a 3-minute walk away. A convenience store is an 11-minute walk away. The transit score is 45, "Some Transit" and the bike score is 71, "Very Bikeable." Appropriate to that bike score, the plans include interior bike storage for 24 bikes. Additional amenities include a laundry room and community room along with 938 feet of tenant storage.

Residential vacancy is budgeted at the industry standard of 5%, which is comfortably above Portland's recent historic vacancy rates.

Operating Expense

The pro forma reflects a per unit operating cost of $10,100. Of that, $1,808 per unit is real estate taxes, for operating expense of $8,292/unit/year excluding taxes. While other projected operating costs per unit are cost reasonable in this inflationary environment, utilities and maintenance raise questions. The projected utility expense is $210/unit/month, which seems high for extra-high R value construction techniques in a compact, energy efficient 4 story building. This higher cost/unit is partially explained by the majority 2- & 3-bedroom unit mix. Conversely, the maintenance budget is slim for majority family housing at $1,487/unit. However, taken as a whole, operating expense of $8,292 is reasonable for this project.

30 Year Cashflow & Debt Service Coverage Ratio (DSCR)

A 75% TIF generates a year 1 DSCR of 1.13, below the Maine Housing underwriting standard of 1.15. However, it is projected to achieve 1.15 DSCR in year 2 of operations -- Maine Housing may feel comfortable with this figure. The requested capital subsidy per unit of $48,157 is 80% of the Maine Housing subsidy maximum of $60,000, so Maine Housing has room to increase subsidy for a 1.15 DSCR in year 1. With industry standard 2% income inflator and 3% expense inflator, DSCR rises gradually over the 30-year term, ending year 30 at 1.43. This is substantially above the underwriting target of 1.20, and points to an over subsidy for years 20-30 of the requested 30-year TIF.

Developer Financials

The project sponsor, LB Development Partners, is a young organization, incorporated in 2019. It has served as an umbrella for development consulting services provided by Dan Black and Carl Lakari in Maine and North Dakota. They have not been audited. They have provided tax returns for the years 2020-2023 and management statements for 2023 and year to date 2024. In 2023, consistent with their core business as development consultants, their revenue was from consulting revenue and their primary expense (85% of expenditures) was consulting fees, i.e. payment to Dan and Carl for their time. For 2023, LB Development Partners reported revenue of $459,068 and total expenditures of $460,313. For 2024 year to date through 4/30/24, revenue is 142,309, with $137,637 in expenses.

The LBDP balance sheet is not atypical for a development consulting firm – their assets include cash ($10,863) and accounts receivable generated by their consulting contracts ($827,735 current accounts receivable, over $1 million long term accounts receivable). Their liabilities are minimal -- a $135,000 working capital loan from Coastal Enterprises due in February 2026, secured by future consulting revenue. This working capital loan, received in February 2024, has been used for predevelopment expenses for 42 Atlantic.

LBDP plans to use their consulting fee income (the accounts receivable described above) to fund predevelopment expenses for 42 Atlantic. They have provided a cashflow projection showing how the accounts receivable will cover the predevelopment costs. The over $800,000 in current year A/R is tied to the development timelines of eight different projects ranging in stage from pre-construction closing, in construction, to construction complete. The diverse income stream is a strength for LBDP, and in real estate development, delays happen.

LB Atlantic LLC is a single purpose entity created December 30, 2023. It has 4 members: Dan Black, Carl Lakari, William Black and Jacqueline Potter. Dan and Carl are the managing members, while Jacqueline & William are "Class B" members, responsible for providing a total capital contribution of $350,000, but do not have a formal vote in managing the corporation. We have received personal financial statements for all members. Among the four of them, there is liquidity if they chose to use it, however, the Class B members are under no obligation to increase their current investment.

LB Atlantic year to date management statements have been provided for this 1st partial year of existence. The Balance Sheet reflects assets of cash ($8,265) and the property at acquisition value ($1,075,000). The only liability is an acquisition loan from Genesis Community Loan Fund of $800,000 (monthly interest only at 6% interest, due in full in 2026.) The Income/Expense statement shows capital contributions of $153,550 and typical pre-construction costs (permitting, architecture) of $153,240. These real estate predevelopment costs are capital costs and should be incorporated into the balance sheet but instead are currently reflected as operating expenses. The current financials understate the organization's net worth and overstate operating expenses, and should be corrected no later than the end of the fiscal year.

LB Development Partners seeks to leverage their considerable, diverse experience as affordable housing development consultants into the role of affordable housing developer. This is an exciting yet fragile time in the life history of an organization, when programmatic aspirations can outpace administrative systems and access to capital. The current combined cash position of $19,128 for both sponsor and single purpose entity is not sufficient working capital for a $13 million project. For continued growth, LBDP and subsidiaries need to prioritize the financial recordkeeping and access to working capital commensurate with their aspirations for property ownership.

Recommendations

The developer must at minimum meet three primary criteria for an AHTIF approval:

1. Community Need: "…site specific AHTIF designations must address an identified community need."

LB Atlantic proposes 30 units of housing for households at 50-60% AMI, including 3 units for long term shelter stayers and 3 units of housing for households with special needs. Affordable housing is identified as a community need in Portland's Plan 2030, the 2022-2026 HUD 5-Year Consolidated Plan and the City Council's 2024 Common Goals.

2. Financial Necessity: "The applicant must demonstrate the City's participation is financially necessary in order for the project to proceed."

The financial projections demonstrate that a TIF will be necessary for the project to proceed. The TIF functions to support the cashflow of the project and demonstrates a cashflow cushion to the mortgage lender to meet the lender's underwriting standards, in this case Maine Housing's requirement of 1.15 DSCR. A 75% TIF for 20 years followed by a 25% TIF for years 21-30 comfortably meets the financial need of the project. Relative to a 75% TIF, reducing the TIF in year 21 to 25% reserves for the City's General Fund $441,229 in tax revenue. The table below shows the

Debt Service Coverage Ratios (DSCR) and total projected cost to the City of 75% for 30 years vs. 75% for 20 years plus 25% for 10-year TIF options:

TIF Rate	Year 1 DSCR	Highest DSCR	Year 30 DSCR	TIF value
75% 30 years	1.13	1.43 (yrs 29 &30)	1.41	$1,650,189
75% 20 years + 25% 10 years	1.13	1.36 (yr 20)	1.24	$1,208,960
			Savings to General Fund:	$441,229

Financial Capacity: "The applicant must demonstrate financial capacity to support their project."

LB Atlantic (the new single purpose entity) and sponsor LB Development Partners have had success brining CDFI lenders to the table to support the development of 42 Atlantic. This is promising for LBDP's ability to complete the project. However, with a combined cash position of less than $20,000, they have not yet demonstrated the on-going financial capacity to support their projects' predevelopment expenses through their organizational financials. Therefore, this recommendation is contingent upon demonstrating sufficient working capital prior to construction closing.

I recommend a AHTIF at 75% for 20 years, with an additional 10 years at 25%, conditioned upon satisfactory review of the following:

- A current market study supporting the projected rent structure;
- Appraisal;
- Satisfactory evidence of sufficient working capital available to support the project, which could be in the form of a letter of credit, in an amount no less than $100,000;
- Current financial statements for LB Atlantic and LB Development Partners;
- Financing commitments for debt and equity on terms and conditions acceptable to the City of Portland;
- All standard construction conditions, including satisfactory review of final contract with GC consistent with budgeted estimates, and total contractor overhead, profit and general conditions of not to exceed 14% of net construction costs.

Development Budget with Permanent Sources

Date	7/7/2024
Project Name	42 Atlantic
Project Address	42 Atlantic
Developer/Sponsor	LB Atlantic (LB Development Partners)
Total Units	30
Total Square Feet	26,971

		Final Application Costs		
		Total	**Per Unit**	**Per Sq Ft**
Sources of Funds				
Permanent Financing - Maine Housing 1st Lien I only		$4,132,281	$137,743	$153
Permanent Financing - City of Portland			$0	$0
Equity (LIHTC/tenant contributions)		$7,379,362	$245,979	$274
Deferred development fee			$0	$0
Other: Maine Housing Subsidy		$1,486,712	$49,557	$55
Other			$0	$0
Total Sources of Funds		**$12,998,355**	**$433,279**	**$482**

Uses of Funds

Hard Costs				
Site Improvements		$710,554	$23,685	$26
Rehabilitation			$0	$0
New Construction		$7,607,777	$253,593	$282
Contractor's Profit, Overhead, & Gen. Requirements	13.3%	$1,102,572	$36,752	$41
Hazardous Materials abatement (if contracted separately)			$0	$0
Demolition Cost (if contracted separately)			$0	$0
Bond Premium		$76,615	$2,554	$3
Other			$0	$0
Hard Cost Contingency (% of hard costs)	5.0%	$475,000	$15,833	$18
Total Hard Costs		**$9,972,518**	**$332,417**	**$370**

Soft Costs				
Building Permit & Fees		$76,000	$2,533	$3
Survey & Engineering		$234,461	$7,815	$9
Design & Permitting (% of const exp)	6.7%	$335,745	$11,192	$12
Borrower Legal (all closings, excluding syndication legal)		$93,000	$3,100	$3
Title & Recording		$20,000	$667	$1
Accounting		$12,000	$400	$0
Construction Period Taxes		$54,000	$1,800	$2
Construction Period Insurance		$25,000	$833	$1
Other: FF&E, Security		$85,000	$2,833	$3
Other			$0	$0
Total Soft Costs		**$935,206**	**$31,174**	**$35**

Financing Costs				
Construction Loan Origination Fees		$172,000	$5,733	$6
Construction Period Interest		$193,500	$6,450	$7
Lender Inspection Fees		$85,646	$2,855	$3
Letter of Credit Fee			$0	$0
Permanent Loan Fee			$0	$0
Construction Lender Legal			$0	$0
Other			$0	$0
Total Financing Costs		**$451,146**	**$15,038**	**$17**
Miscellaneous				
Market Survey		$5,600	$187	$0
Appraisal		$10,000	$333	$0
Environmental Study		$12,000	$400	$0
LIHTC Fees -- prepaid monitoring		$102,000	$3,400	$4
Other: Commissioning			$0	$0
Relocation Costs			$0	$0
Other			$0	$0
Soft Cost Contingency (% of soft costs excl Dev Fee)	0.00%	$42,000	$1,400	$2
Total Miscellaneous:		**$171,600**	**$5,720**	**$23**
Acquisition				
Acquisition: Buildings			$0	$0
Acquisition: Land		$179,775	$5,993	$7
Acquisition: Legal			$0	$0
Other			$0	$0
Total Acquisition		**$179,775**	**$5,993**	**$7**
Reserves and Developer Fee				
Operating Deficit Escrow		$275,460	$9,182	$10
Prefunded Replacement Reserve		$87,870	$2,929	$3
Taxes & Insurance Escrow		$59,780	$1,993	$2
Developer Overhead		$500,000	$16,667	$19
Developer Profit		$250,000	$8,333	$9
Rent Up Reserve & Marketing		$30,000	$1,000	$1
Other -- Syndication Expenses		$85,000	$2,833	$3
Total Reserves and Developer Fee		**$1,288,110**	**$42,937**	**$48**
Total Uses of Funds		**$12,998,355**	**$433,279**	**$499**

Developer Fee Analysis:	Total Fees:	$750,000
(excluding reserves & developer fee)	'ercent of TDC:	6.40%

Project Operating Pro Forma

Date	July 7, 2024
Project Name	42 Atlantic
Project Address	
Developer/Sponsor	LB Atlantic / LB Development Partners

Rental Income — Maximum LIHTC Rents

Unit Type	Number of Units	Per Unit Sq Ft	Total Sq Ft	Restriction on % Median Inc.	Per Unit Monthly Gross Rent	Utility Deductions	Rent Subsidy	Per Unit Monthly Net Rent	Per Unit Net Rent Per Sq Ft	Total Monthly Net Income	Total Annual Net Rent
0 BR	8		0	50%	$1,116			$1,116	#DIV/0!	$8,928	$107,136
0 BR	6		0	60%	$1,340			$1,340	#DIV/0!	$8,040	$96,480
2 BR	6		0	50%	$1,435			$1,435	#DIV/0!	$8,610	$103,320
2 BR	2		0	60%	$1,722			$1,722	#DIV/0!	$3,444	$41,328
3 BR	4		0	50%	$1,657			$1,657	#DIV/0!	$6,628	$79,536
3 BR	4		0	60%	$1,989			$1,989	#DIV/0!	$7,956	$95,472
Total:	**30**		**0**							**$43,606**	**$523,272**

[Operating Expenses](#)

Rent Increase Rate	2.0%
Expenses Increase Rate	3.0%

Declining Balance TIF **year 1** **75%** **year 11** **75%** **year 21** **25%**

Note: Year 1 is the first full year of stabilized operations

		Year 1	Year 1/Unit	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Income												
Sch. Gross Income - Residential		$523,272	$17,442	$533,737	$544,412	$555,300	$566,406	$577,735	$589,289	$601,075	$613,097	$625,358
Vacancy Loss	5.0%	($26,164)	($872)	($26,687)	($27,221)	($27,765)	($28,320)	($28,887)	($29,464)	($30,054)	($30,655)	($31,268)
Other income HAP Differential		$46,592	$1,553	$47,524	$48,474	$49,444	$50,432	$51,441	$52,470	$53,519	$54,590	$55,682
TIF (inflated at 2%)	75%	$40,677	$1,356	$41,491	$42,320	$43,167	$44,030	$44,911	$45,809	$46,725	$47,660	$48,613
Effective Gross Income		**$584,377**	**$19,479**	**$596,065**	**$607,986**	**$620,146**	**$632,549**	**$645,200**	**$658,104**	**$671,266**	**$684,691**	**$698,385**
Administrative												
Management Fee	5.8%	$30,547	$1,018	$31,463	$32,407	$33,380	$34,381	$35,412	$36,475	$37,569	$38,696	$39,857
Management Charges	6.0%	$31,650	$1,055	$32,600	$33,577	$34,585	$35,622	$36,691	$37,792	$38,926	$40,093	$41,296
Marketing Expense		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Legal		$2,000	$67	$2,060	$2,122	$2,185	$2,251	$2,319	$2,388	$2,460	$2,534	$2,610
Audit & Accounting		$6,500	$217	$6,695	$6,896	$7,103	$7,316	$7,535	$7,761	$7,994	$8,234	$8,481
Admin Other			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Administrative		$70,697	$2,357	$72,818	$75,002	$77,253	$79,570	$81,957	$84,416	$86,948	$89,557	$92,244
Supportive Services		$15,000	$500	$15,450	$15,914	$16,391	$16,883	$17,389	$17,911	$18,448	$19,002	$19,572
Utilities												
Fuel Oil			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Natural Gas		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Electric		$55,000	$1,833	$56,650	$58,350	$60,100	$61,903	$63,760	$65,673	$67,643	$69,672	$71,763
Water / Sewer		$20,461	$682	$21,075	$21,707	$22,358	$23,029	$23,720	$24,432	$25,164	$25,919	$26,697
Other			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Utilities		$75,461	$2,515	$77,725	$80,057	$82,458	$84,932	$87,480	$90,104	$92,808	$95,592	$98,459
			$210									

Maintenance	Year 1	Year 1/Unit	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Grounds	$5,200	$173	$5,356	$5,517	$5,682	$5,853	$6,028	$6,209	$6,395	$6,587	$6,785
Janitorial	$6,200	$207	$6,386	$6,578	$6,775	$6,978	$7,187	$7,403	$7,625	$7,854	$8,090
Trash Removal	$10,500	$350	$10,815	$11,139	$11,474	$11,818	$12,172	$12,538	$12,914	$13,301	$13,700
Security		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Equipment & Supplies	$1,400	$47	$1,442	$1,485	$1,530	$1,576	$1,623	$1,672	$1,722	$1,773	$1,827
Maintenance	$9,500	$317	$9,785	$10,079	$10,381	$10,692	$11,013	$11,343	$11,684	$12,034	$12,395
Maintenance Contracts	$11,800	$393	$12,154	$12,519	$12,894	$13,281	$13,679	$14,090	$14,513	$14,948	$15,396
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Maintenance	$44,600	$1,487	$45,938	$47,316	$48,736	$50,198	$51,704	$53,255	$54,852	$56,498	$58,193
Taxes & Insurance											
Real Estate Taxes 2%	$54,236	$1,808	$55,321	$56,427	$57,556	$58,707	$59,881	$61,079	$62,300	$63,546	$64,817
Payroll Taxes / Fidelity Bond / Workers Comp / Health Ins.		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Insurance (property, liability)	$28,000	$933	$28,840	$29,705	$30,596	$31,514	$32,460	$33,433	$34,436	$35,470	$36,534
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Taxes & Insurance	$82,236	$2,741	$84,161	$86,132	$88,152	$90,221	$92,341	$94,512	$96,737	$99,016	$101,351
Replacement Reserves	$15,000	$500	$15,450	$15,914	$16,391	$16,883	$17,389	$17,911	$18,448	$19,002	$19,572
Operating Reserves		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Expenses	**$302,994**	**$10,100**	**$311,541**	**$320,334**	**$329,380**	**$338,686**	**$348,260**	**$358,109**	**$368,241**	**$378,665**	**$389,390**
Net Operating Income	**$281,383**	**$9,379**	**$284,523**	**$287,652**	**$290,765**	**$293,863**	**$296,940**	**$299,995**	**$303,025**	**$306,026**	**$308,995**
Debt Service											
Maine Housing Interest Bearing	$247,937	$8,265	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937
Second Lien		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Debt Service (Must Pay)	$247,937	$8,265	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937
Cash Flow (after Must Pay Debt)	$33,446	$1,115	$36,586	$39,715	$42,828	$45,926	$49,003	$52,058	$55,088	$58,089	$61,058
Debt Service Coverage Ratio	**1.13**		**1.15**	**1.16**	**1.17**	**1.19**	**1.20**	**1.21**	**1.22**	**1.23**	**1.25**
Cash Flow Debt Payments											
City of Portland 0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Developer Fee Loan 0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Cash Flow Retained by Project	**$33,446**	**$1,115**	**$36,586**	**$39,715**	**$42,828**	**$45,926**	**$49,003**	**$52,058**	**$55,088**	**$58,089**	**$61,058**
Retained Cash Flow % 11%											

10 year Cash $474,911

		Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20
Income											
Sch. Gross Income - Residential		$637,866	$650,623	$663,635	$676,908	$690,446	$704,255	$718,340	$732,707	$747,361	$762,308
Vacancy Loss	5.0%	($31,893)	($32,531)	($33,182)	($33,845)	($34,522)	($35,213)	($35,917)	($36,635)	($37,368)	($38,115)
Other income (laundry)		$56,795	$57,931	$59,090	$60,271	$61,477	$62,706	$63,961	$65,240	$66,545	$67,875
TIF	75%	$49,585	$50,577	$51,588	$52,620	$53,672	$54,746	$55,841	$56,958	$58,097	$59,259
Effective Gross Income		**$712,353**	**$726,600**	**$741,132**	**$755,954**	**$771,073**	**$786,495**	**$802,225**	**$818,269**	**$834,635**	**$851,327**
Administrative											
Management Fee		$41,053	$42,284	$43,553	$44,859	$46,205	$47,591	$49,019	$50,490	$52,004	$53,564
Management Charges		$42,535	$43,811	$45,125	$46,479	$47,873	$49,310	$50,789	$52,313	$53,882	$55,498
Marketing Expense		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Legal		$2,688	$2,768	$2,852	$2,937	$3,025	$3,116	$3,209	$3,306	$3,405	$3,507
Audit & Accounting		$8,735	$8,998	$9,267	$9,545	$9,832	$10,127	$10,431	$10,744	$11,066	$11,398
Admin Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Administrative		$95,011	$97,861	$100,797	$103,821	$106,936	$110,144	$113,448	$116,851	$120,357	$123,968
Supportive Services		$20,159	$20,764	$21,386	$22,028	$22,689	$23,370	$24,071	$24,793	$25,536	$26,303
Utilities											
Fuel Oil		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Electric		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Gas		$73,915	$76,133	$78,417	$80,769	$83,192	$85,688	$88,259	$90,907	$93,634	$96,443
Water / Sewer		$27,498	$28,323	$29,172	$30,048	$30,949	$31,878	$32,834	$33,819	$34,833	$35,878
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Utilities		$101,413	$104,456	$107,589	$110,817	$114,142	$117,566	$121,093	$124,726	$128,467	$132,321

Maintenance	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20
Janitorial	$6,988	$7,198	$7,414	$7,636	$7,865	$8,101	$8,344	$8,595	$8,853	$9,118
Exterminating	$8,332	$8,582	$8,840	$9,105	$9,378	$9,659	$9,949	$10,248	$10,555	$10,872
Trash Removal	$14,111	$14,534	$14,970	$15,420	$15,882	$16,359	$16,849	$17,355	$17,876	$18,412
Security	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Grounds	$1,881	$1,938	$1,996	$2,056	$2,118	$2,181	$2,247	$2,314	$2,383	$2,455
Maintenance	$12,767	$13,150	$13,545	$13,951	$14,370	$14,801	$15,245	$15,702	$16,173	$16,658
Elevator, HVAC, pool contracts	$15,858	$16,334	$16,824	$17,329	$17,849	$18,384	$18,936	$19,504	$20,089	$20,691
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Maintenance	$59,939	$61,737	$63,589	$65,497	$67,462	$69,485	$71,570	$73,717	$75,929	$78,206
Taxes & Insurance										
Real Estate Taxes or PILOT	$66,113	$67,436	$68,784	$70,160	$71,563	$72,995	$74,454	$75,943	$77,462	$79,012
Payroll Taxes / Fidelity Bond / Workers Comp / Health Ins.	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Insurance (property, liability)	$37,630	$38,759	$39,921	$41,119	$42,353	$43,623	$44,932	$46,280	$47,668	$49,098
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Taxes & Insurance	$103,743	$106,194	$108,706	$111,279	$113,916	$116,618	$119,386	$122,223	$125,130	$128,110
Replacement Reserves	$20,159	$20,764	$21,386	$22,028	$22,689	$23,370	$24,071	$24,793	$25,536	$26,303
Operating Reserves	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Expenses	**$400,423**	**$411,775**	**$423,454**	**$435,470**	**$447,832**	**$460,551**	**$473,638**	**$487,103**	**$500,956**	**$515,210**
Net Operating Income	**$311,929**	**$314,825**	**$317,678**	**$320,485**	**$323,241**	**$325,943**	**$328,587**	**$331,167**	**$333,678**	**$336,117**
Debt Service										
Maine Housing Interest Bearing	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937
Second Lien	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Debt Service (Must Pay)	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937
Cash Flow (after Must Pay Debt)	$63,992	$66,888	$69,741	$72,548	$75,304	$78,006	$80,650	$83,230	$85,741	$88,180
Debt Service Coverage Ratio	**1.26**	**1.27**	**1.28**	**1.29**	**1.30**	**1.31**	**1.33**	**1.34**	**1.35**	**1.36**

Cash Flow Debt Payments		Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Cash Flow D
City of Portland	0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Developer Fee Loan	0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Cash Flow Retained by Project		**$63,992**	**$66,888**	**$69,741**	**$72,548**	**$75,304**	**$78,006**	**$80,650**	**$83,230**	**$85,741**	**$88,180**
	11%		$0			$0					

10 year Cashfl $764,280

		Year 21	Year 22	Year 23	Year 24	Year 25	Year 26	Year 27	Year 28	Year 29	Year 30
Income											
Sch. Gross Income - Residential		$777,555	$793,106	$808,968	$825,147	$841,650	$858,483	$875,653	$893,166	$911,029	$929,250
Vacancy Loss	0.0%	($38,878)	($39,655)	($40,448)	($41,257)	($42,083)	($42,924)	($43,783)	($44,658)	($45,551)	($46,462)
Other income (laundry)		$69,233	$70,618	$72,030	$73,471	$74,940	$76,439	$77,968	$79,527	$81,117	$82,740
TIF	25%	$20,148	$20,551	$20,962	$21,381	$21,809	$22,245	$22,690	$23,144	$23,607	$24,079
Effective Gross Income		**$828,058**	**$844,619**	**$861,511**	**$878,742**	**$896,316**	**$914,243**	**$932,528**	**$951,178**	**$970,202**	**$989,606**
Administrative											
Management Fee		$55,171	$56,826	$58,531	$60,287	$62,096	$63,959	$65,877	$67,854	$69,889	$71,986
Management Charges		$57,163	$58,878	$60,645	$62,464	$64,338	$66,268	$68,256	$70,304	$72,413	$74,585
Marketing Expense		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Legal		$3,612	$3,721	$3,832	$3,947	$4,066	$4,188	$4,313	$4,443	$4,576	$4,713
Audit & Accounting		$11,740	$12,092	$12,455	$12,828	$13,213	$13,610	$14,018	$14,438	$14,872	$15,318
Admin Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Administrative		$127,687	$131,517	$135,463	$139,527	$143,712	$148,024	$152,465	$157,038	$161,750	$166,602
Supportive Services		$27,092	$27,904	$28,742	$29,604	$30,492	$31,407	$32,349	$33,319	$34,319	$35,348
Utilities											
Fuel Oil		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Electric		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Gas		$99,336	$102,316	$105,386	$108,547	$111,804	$115,158	$118,613	$122,171	$125,836	$129,611
Water / Sewer		$36,955	$38,063	$39,205	$40,382	$41,593	$42,841	$44,126	$45,450	$46,813	$48,218
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Utilities		$136,291	$140,380	$144,591	$148,929	$153,397	$157,999	$162,739	$167,621	$172,649	$177,829

Maintenance	Year 21	Year 22	Year 23	Year 24	Year 25	Year 26	Year 27	Year 28	Year 29	Year 30
Janitorial	$9,392	$9,674	$9,964	$10,263	$10,571	$10,888	$11,214	$11,551	$11,897	$12,254
Exterminating	$11,198	$11,534	$11,880	$12,236	$12,603	$12,981	$13,371	$13,772	$14,185	$14,611
Trash Removal	$18,964	$19,533	$20,119	$20,723	$21,344	$21,985	$22,644	$23,324	$24,023	$24,744
Security	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Grounds	$2,529	$2,604	$2,683	$2,763	$2,846	$2,931	$3,019	$3,110	$3,203	$3,299
Maintenance	$17,158	$17,673	$18,203	$18,749	$19,312	$19,891	$20,488	$21,102	$21,735	$22,387
Elevator, HVAC, pool contracts	$21,312	$21,951	$22,610	$23,288	$23,987	$24,707	$25,448	$26,211	$26,998	$27,807
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Maintenance	$80,553	$82,969	$85,458	$88,022	$90,663	$93,382	$96,184	$99,069	$102,042	$105,103

Taxes & Insurance										
Real Estate Taxes or PILOT	$80,592	$82,204	$83,848	$85,525	$87,235	$88,980	$90,760	$92,575	$94,426	$96,315
Payroll Taxes / Fidelity Bond / Workers Comp / Health Ins.	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Insurance (property, liability)	$50,571	$52,088	$53,651	$55,260	$56,918	$58,626	$60,385	$62,196	$64,062	$65,984
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Taxes & Insurance	$131,163	$134,292	$137,499	$140,785	$144,153	$147,606	$151,144	$154,771	$158,488	$162,299

Replacement Reserves	$27,092	$27,904	$28,742	$29,604	$30,492	$31,407	$32,349	$33,319	$34,319	$35,348
Operating Reserves	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Expenses	**$529,876**	**$544,967**	**$560,494**	**$576,470**	**$592,909**	**$609,824**	**$627,229**	**$645,138**	**$663,567**	**$682,529**
Net Operating Income	**$298,181**	**$299,652**	**$301,018**	**$302,271**	**$303,407**	**$304,419**	**$305,299**	**$306,040**	**$306,635**	**$307,077**

Debt Service										
Maine Housing Interest Bearing	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937
Second Lien	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Debt Service (Must Pay)	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937	$247,937
Cash Flow (after Must Pay Debt)	$50,244	$51,715	$53,081	$54,334	$55,470	$56,482	$57,362	$58,103	$58,698	$59,140
Debt Service Coverage Ratio	**1.20**	**1.21**	**1.21**	**1.22**	**1.22**	**1.23**	**1.23**	**1.23**	**1.24**	**1.24**

ebt Payments											
City of Portland	0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Developer Fee Loan	0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Cash Flow Retained by Project		**$50,244**	**$51,715**	**$53,081**	**$54,334**	**$55,470**	**$56,482**	**$57,362**	**$58,103**	**$58,698**	**$59,140**

10 year Cashf $554,630

City of Portland - TIF Model
42 Atlantic St.
CBL: 16 F001001
OAV: $0 as of March 31, 2024
6/14/2024

City of Portland- TIF Projection Table - 42 Atlantic Street									
TIF Year	Tax Year- April 1	Increased Assessed Value Real Prop.	% of Value Captured	Captured Valuation	Projected Mill Rate	Total Projected New Taxes Captured	Captured Revenue to Business Project Account	Captured Revenue to Municipal Project Account	City Non-Captured General Fund Revenues
1	2024	$3,690,000	75.00%	$2,767,500	14.70	$40,677	$40,677	$0	$13,559
2	2025	$3,690,000	75.00%	$2,767,500	14.99	$41,491	$41,491	$0	$13,830
3	2026	$3,690,000	75.00%	$2,767,500	15.29	$42,321	$42,321	$0	$14,107
4	2027	$3,690,000	75.00%	$2,767,500	15.60	$43,167	$43,167	$0	$14,389
5	2028	$3,690,000	75.00%	$2,767,500	15.91	$44,030	$44,030	$0	$14,677
6	2029	$3,690,000	75.00%	$2,767,500	16.23	$44,911	$44,911	$0	$14,970
7	2030	$3,690,000	75.00%	$2,767,500	16.55	$45,809	$45,809	$0	$15,270
8	2031	$3,690,000	75.00%	$2,767,500	16.88	$46,725	$46,725	$0	$15,575
9	2032	$3,690,000	75.00%	$2,767,500	17.22	$47,660	$47,660	$0	$15,887
10	2033	$3,690,000	75.00%	$2,767,500	17.57	$48,613	$48,613	$0	$16,204
11	2034	$3,690,000	75.00%	$2,767,500	17.92	$49,585	$49,585	$0	$16,528
12	2035	$3,690,000	75.00%	$2,767,500	18.28	$50,577	$50,577	$0	$16,859
13	2036	$3,690,000	75.00%	$2,767,500	18.64	$51,589	$51,589	$0	$17,196
14	2037	$3,690,000	75.00%	$2,767,500	19.01	$52,620	$52,620	$0	$17,540
15	2038	$3,690,000	75.00%	$2,767,500	19.39	$53,673	$53,673	$0	$17,891
16	2039	$3,690,000	75.00%	$2,767,500	19.78	$54,746	$54,746	$0	$18,249
17	2040	$3,690,000	75.00%	$2,767,500	20.18	$55,841	$55,841	$0	$18,614
18	2041	$3,690,000	75.00%	$2,767,500	20.58	$56,958	$56,958	$0	$18,986
19	2042	$3,690,000	75.00%	$2,767,500	20.99	$58,097	$58,097	$0	$19,366
20	2043	$3,690,000	75.00%	$2,767,500	21.41	$59,259	$59,259	$0	$19,753
21	2044	$3,690,000	25.00%	$922,500	21.84	$20,148	$20,148	$0	$60,444
22	2045	$3,690,000	25.00%	$922,500	22.28	$20,551	$20,551	$0	$61,653
23	2046	$3,690,000	25.00%	$922,500	22.72	$20,962	$20,962	$0	$62,886
24	2047	$3,690,000	25.00%	$922,500	23.18	$21,381	$21,381	$0	$64,144
25	2048	$3,690,000	25.00%	$922,500	23.64	$21,809	$21,809	$0	$65,427
26	2049	$3,690,000	25.00%	$922,500	24.11	$22,245	$22,245	$0	$66,735
27	2050	$3,690,000	25.00%	$922,500	24.60	$22,690	$22,690	$0	$68,070
28	2051	$3,690,000	25.00%	$922,500	25.09	$23,144	$23,144	$0	$69,431
29	2052	$3,690,000	25.00%	$922,500	25.59	$23,607	$23,607	$0	$70,820
30	2053	$3,690,000	25.00%	$922,500	26.10	$24,079	$24,079	$0	$72,237
30 Year TIF Total		**$110,700,000**		**$64,575,000**		**$1,208,967**	**$1,208,967**	**$0**	**$991,298**
30 Year TIF Average		**$3,690,000**		**$2,152,500**		**$40,299**	**$40,299**		**$33,043**

7-10-2024 TIF Model 75% 20 Years 25% 10 Years.xlsx

42 Atlantic St.
CBL: 016 F001001
OAV a/o 3/31/2024: $0

Tax S ifts-Avoided For ula I pacts fro S eltering of Valuation City of Portland- TIF Model

75% S eltered 20 Years and 25% S eltered 10 Years to Developer Project Account - Re ainder to City General Fund

				Avoided For ula I pacts fro S eltering of Valuation			
TIF Year	**Tax Year- April 1**	**Total Added Valuation**	**S eltered Valuation**	**Avoided Loss of State Aid to for ducation**	**Avoided Loss of State Municipal Revenue S aring**	**Avoided Increase in County Tax**	**Total Avoided I pacts**
1	2024	$3,690,000	$2,767,500	$0	$3,868	$1,222	$5,090
2	2025	$3,690,000	$2,767,500	$0	$3,868	$1,222	$5,090
3	2026	$3,690,000	$2,767,500	$0	$3,868	$1,222	$5,090
4	2027	$3,690,000	$2,767,500	$6,430	$3,868	$1,222	$11,520
5	2028	$3,690,000	$2,767,500	$12,860	$3,868	$1,222	$17,950
6	2029	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
7	2030	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
8	2031	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
9	2032	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
10	2033	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
11	2034	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
12	2035	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
13	2036	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
14	2037	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
15	2038	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
16	2039	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
17	2040	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
18	2041	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
19	2042	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
20	2043	$3,690,000	$2,767,500	$19,289	$3,868	$1,222	$24,380
21	2044	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
22	2045	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
23	2046	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
24	2047	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
25	2048	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
26	2049	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
27	2050	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
28	2051	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
29	2052	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
30	2053	$3,690,000	$922,500	$6,430	$1,289	$407	$8,127
30 Year TIF Total		**$110,700,000**	**$64,575,000**	**$372,930**	**$90,256**	**$28,515**	**$491,701**
30 Year TIF Average		**$3,690,000**	**$2,152,500**	**$12,431**	**$3,009**	**$951**	**$16,390**

Context

2

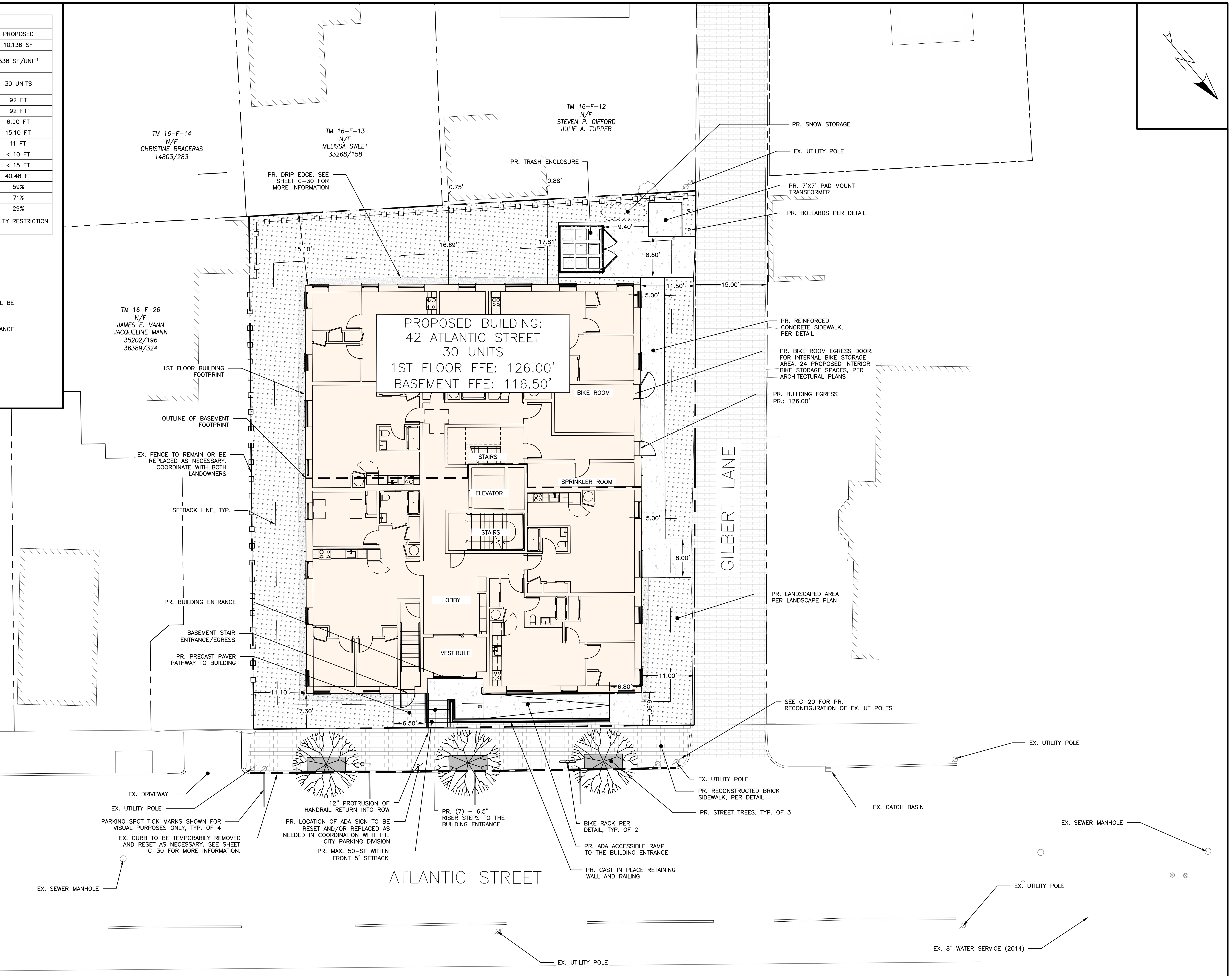
East End Beach
Cutter St
Eastern Promenade
Fort Allen Park
Portland House
Wilson St
Vesper St
Munjoyous
Morning St
Moody St
The Hill Arts
Beckett St
Munjoy St
The Front Room
American · $$
Monument St
Atlantic St
Gilbert Ln
Fore St
Yoga On Munjoy Hill
Jing Yan Tavern
Congress St
Double Great Coffee
St Lawrence St
Sherbrooke St
Waterville St
Curate Maine
Donatelli's Custom Tailor Shop
Cumberland Ave
Belleville
Portland Observatory
Temporarily closed
Kellogg St

SPACE AND BULK STANDARDS – 30 UNITS			
ZONING: R-6 (RESIDENTIAL)	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT SIZE	2,000 SF	10,136 SF	10,136 SF
MINIMUM LOT AREA PER DWELLING UNIT	725 SF/UNIT	–	338 SF/UNIT[1]
ALLOWABLE DWELLING UNITS BASED 2.5X DENSITY BONUS[1]	35 UNITS	–	30 UNITS
MINIMUM STREET FRONTAGE	20 FT	92 FT	92 FT
MINIMUM LOT WIDTH	20 FT	92 FT	92 FT
MINIMUM FRONT SETBACK	5 FT	7.05 FT	6.90 FT
MINIMUM REAR SETBACK	10 FT	57.50 FT	15.10 FT
MINIMUM SIDE SETBACK	5 FT	10 FT	11 FT
MINIMUM SIDE YARD STEPBACK ABOVE 35 FT	10 FT	NA	< 10 FT
MINIMUM REAR YARD STEPBACK ABOVE 35 FT	15 FT	NA	< 15 FT
MAXIMUM STRUCTURE HEIGHT	45 FT	–	40.48 FT
MAXIMUM LOT COVERAGE	60%	32%	59%
MAX IMPERVIOUS SURFACE RATIO	80%	82%	71%
MINIMUM LANDSCAPED OPEN SPACE RATIO	20%	18%	29%

[1] SECTION 18.2.4, TABLE 18-C ALLOWS FOR 2.5 TIMES THE DENSITY PERMITTED ON THE LOT. DUE TO AFFORDABILITY RESTRICTION ON THE UNITS.

GENERAL NOTES:
1. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
2. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE
3. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
4. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
5. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
6. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.

REFERENCES:
1. PLAN REFERENCE
1.1. PLAN TITLED "BOUNDARY & TOPOGRAPHIC SURVEY" PREPARED BY OWEN HASKELL, INC. DATED DECEMBER 7TH, 2023.



10 0 10 20

SCALE: 1" = 10'

PERMIT LEVEL
NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY DATE
CONCEPT	SJL 1/4/24
3-PHASE OPTIONS	SJL 2/2/24
PRELIMINARY	SJL 4/3/24
MAJOR SITE PLAN	SJL 4/11/24

DRAWING NAME: SITE PLAN

PROJECT NAME: 42 ATLANTIC STREET REDEVELOPMENT

CLIENT: LB ATLANTIC, LLC P.O. BOX: 10452, PORTLAND, ME

ACORN ENGINEERING, INC.

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC. PO BOX 3372, PORTLAND MAINE 04104 (207) 775-2655

FILE:	1220_CIVIL
JN:	1220
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	DNM
CHECKED BY:	SJL

STATE OF MAINE SAMUEL J. LEBEL 16505 LICENSED PROFESSIONAL ENGINEER

DRAWING NO.

C-10

Xref ..\Title Block\2.156 TB Block.dwg

NOT FOR CONSTRUCTION

4 ELEVATION - SOUTH
1/8" = 1'-0"

3 ELEVATION - WEST
1/8" = 1'-0"

2 ELEVATION - NORTH
1/8" = 1'-0"

1 ELEVATION - EAST
1/8" = 1'-0"

FINISH INDEX

SEE A-600 FOR FULL DETAIL

KEY	DESCRIPTION
CON-01	Concrete
GS-01	Galvanized Steel
PF-01	Parged Finish
PT-01	Paint, Satin Finish
WS-01	Painted Vertical Pine Shiplap (1x8)
WS-02	Treated Pine Clapboard (1x6)
WS-03	Treated Vertical Pine Shiplap (1x8)

DRAWING SYMBOLS LEGEND

- 1 / A-101 — **Elevation Callout** Sheet # in center, Drawing # in triangle
- 1 / A-101 — **Section Callout** Drawing #, Sheet #
- 1 / A-501 — **Detail Callout** Drawing #, Sheet #
- **Datum or Elevation** From t.o. subfloor
- NAME 10 150 SF — **Room Tag** Area to inside of walls
- 100 — **Door Tag** See schedule for specs
- 1.01 — **Window Tag** See schedule for specs
- 1A — **Wall Tag** See schedule for specs
- 01 — **Revision Tag** See title block for date
- L-01 — **Product Tag** See schedule for specs
- 20 RISERS @ 7" — **Stair Tag**
- WM-01 — **Finish Tag** See schedule for specs
- 8 1/2" / 1'-0" — **Slope Tag** Arrow points downward
- **2x6 Stud Wall** See schedule for specs
- **8" CMU Wall** See schedule for specs

BUILDING ELEVATIONS NOTES

1. WINDOW & DOOR DIMENSIONS ARE TO OUTSIDE OF UNIT (NOT TO RO)

Primary Projects

ARCHITECT
PRIMARY PROJECTS, PLLC
2330 HORTON STREET
NORTH DIGHTON, MA 02764
-
KYLE BARKER, AIA (ME LICENSE: ARC5339)
KYLE@PRIMARYPROJECTS.ORG
617 440 4674

42 ATLANTIC STREET HOUSING

PROJECT #
2309

PROJECT ADDRESS
42 ATLANTIC ST
PORTLAND, ME 04101
PARCEL ID: 016 F001001

OWNER
LB ATLANTIC LLC
P.O. BOX 10452
PORTLAND, ME 04104

CIVIL ENGINEER
ACORN ENGINEERING, INC.
PO BOX 3372
PORTLAND, ME 04104

STRUCTURAL ENGINEER
BASE DESIGN GROUP, INC.
117 AUBURN STREET, 2ND FLOOR
PORTLAND, ME 04103

MEP-FP ENGINEER
BLW ENGINEERS, INC
311 GREAT ROAD, PO BOX 1551
LITTLETON, MA 01460

DATE	ISSUANCE

THE CONTRACTOR IS RESPONSIBLE FOR MATERIALS, DETAILS & ACCURACY, FOR ALL QUANTITIES & DIMENSIONS, FOR SELECTING FABRICATION PROCESSES, FOR TECHNIQUES OF ASSEMBLY, FOR PERFORMING WORK IN A SAFE MANNER, AND FOR COORDINATING WORK WITH THAT OF ALL TRADES.

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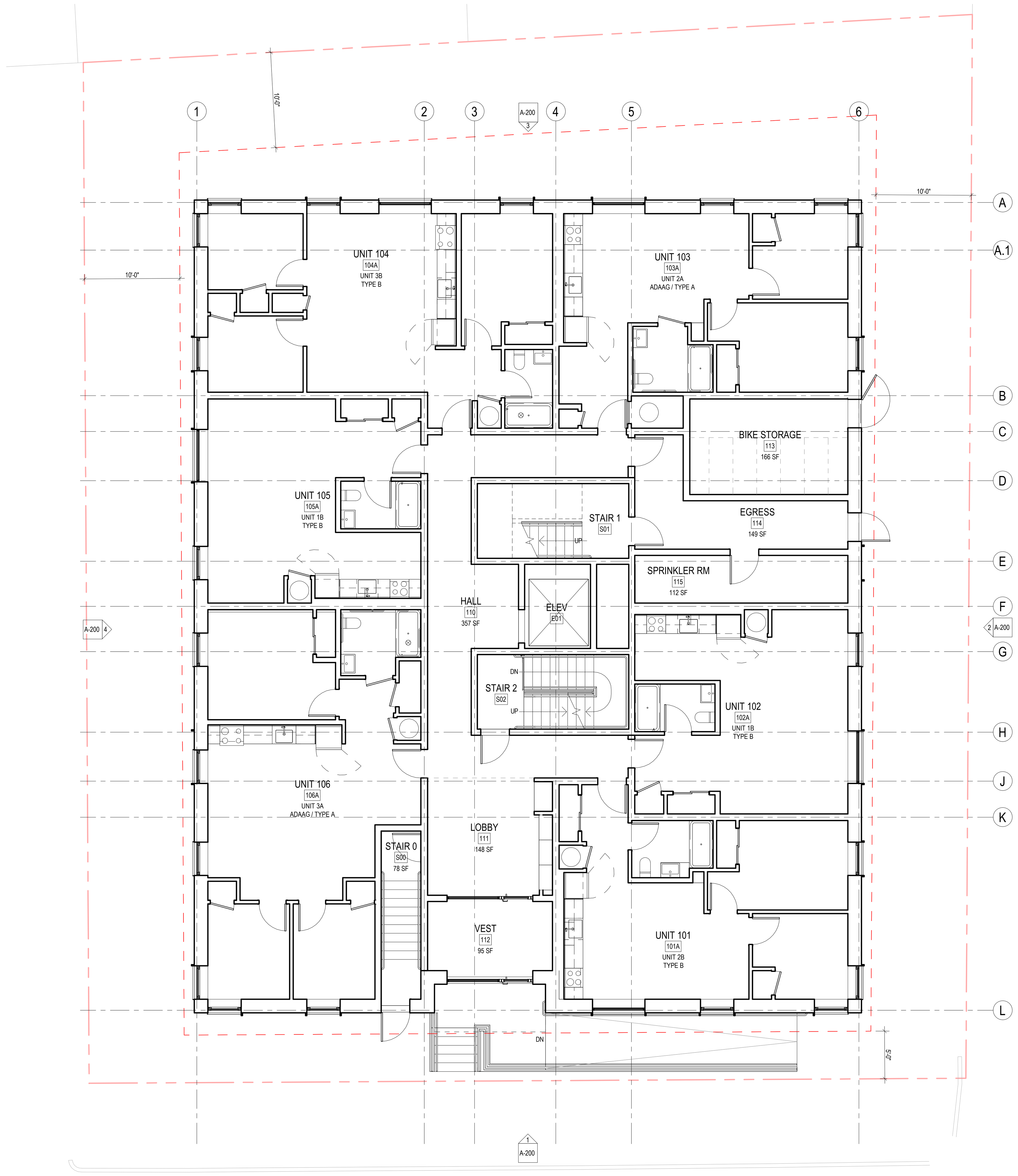
SCALE As indicated
DATE 04/01/24

SHEET TITLE
BUILDING ELEVATIONS

SHEET #
A-200

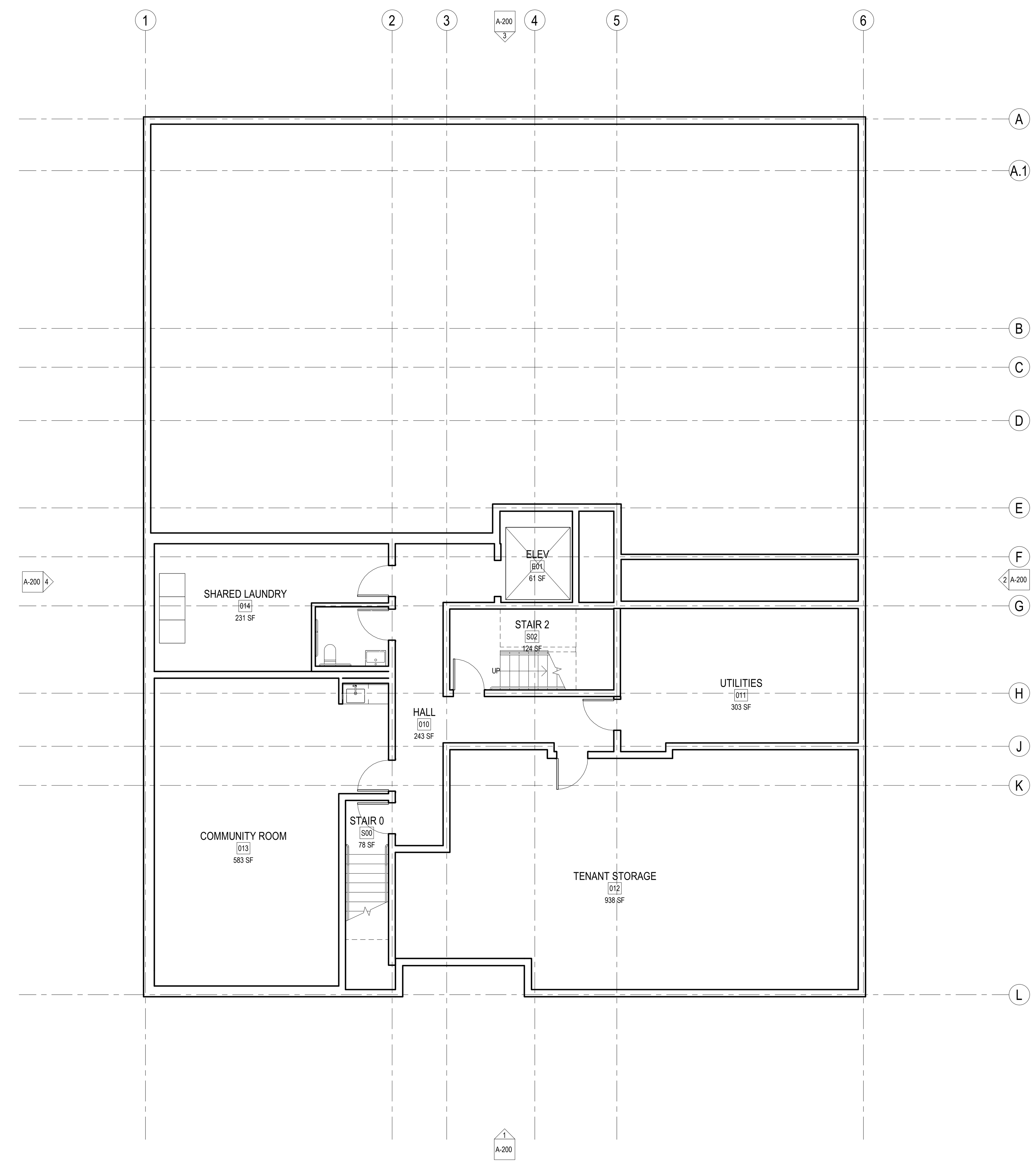
NOT FOR CONSTRUCTION



FLOOR AREA: 5,938 SF

2 STUDIOS
2 2-BEDS
2 3-BED

2 LEVEL 1 PLAN
1/8" = 1'-0"



FLOOR AREA: 2,981 SF

1 BASEMENT PLAN
1/8" = 1'-0"

Primary Projects

ARCHITECT
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2330 HORTON STREET
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FINISH INDEX

SEE A-600 FOR FULL DETAIL

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DRAWING SYMBOLS LEGEND

1 A-101 1 — **Elevation Callout** Sheet # in center Drawing # in triangle
1 A-101 — **Section Callout** Drawing # Sheet #
1 A-501 — **Detail Callout** Drawing # Sheet #
Datum or Elevation From t.o. subfloor
NAME 10 150 SF — **Room Tag** Area to inside of walls
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2x6 Stud Wall See schedule for specs
8" CMU Wall See schedule for specs

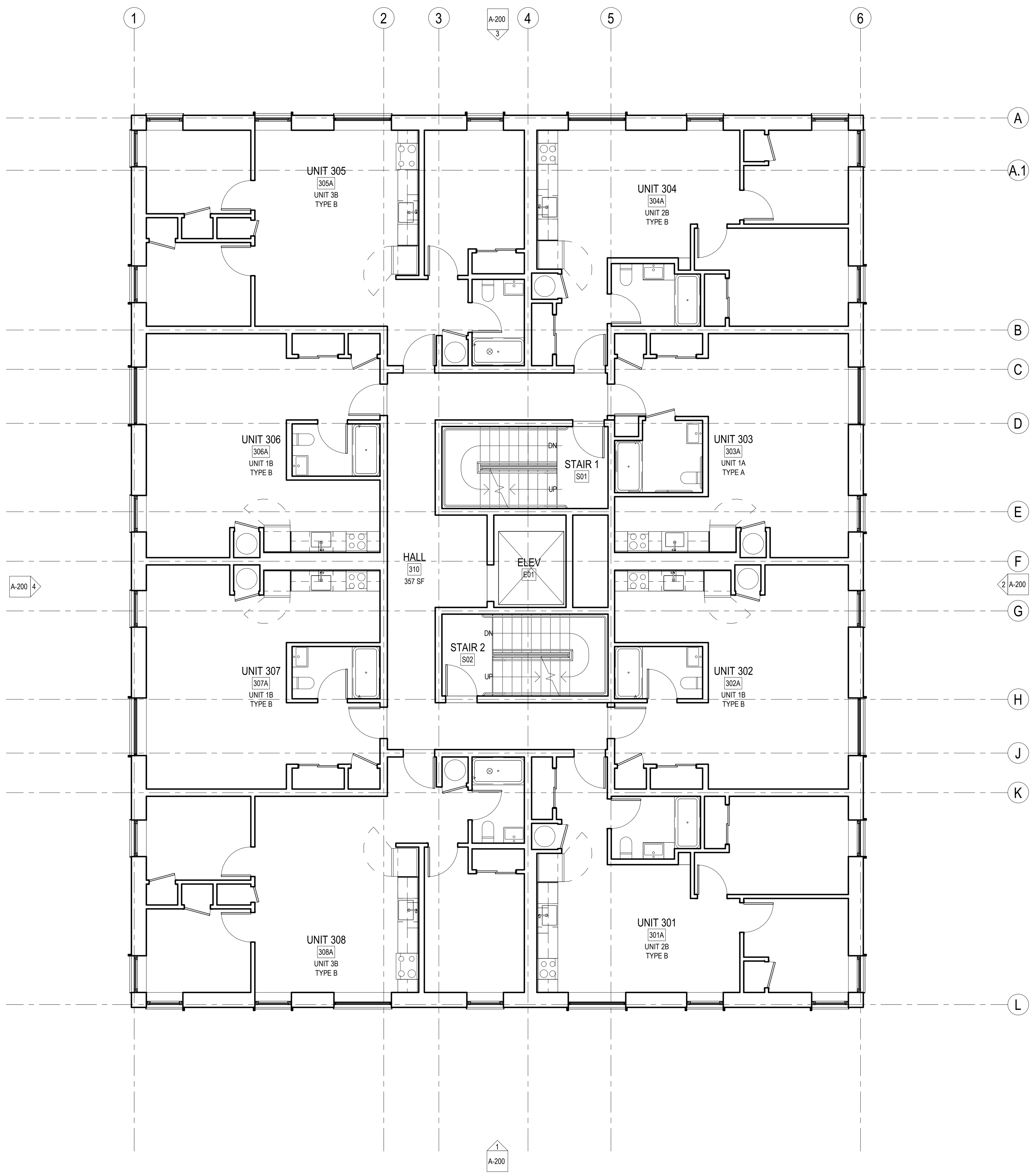
PLAN NOTES
1. ALL DIMENSIONS ARE TO FACE OF FINISH

SCALE As indicated
DATE 04/01/24

SHEET TITLE
BASEMENT & FIRST FLOOR PLANS

SHEET #
A-102

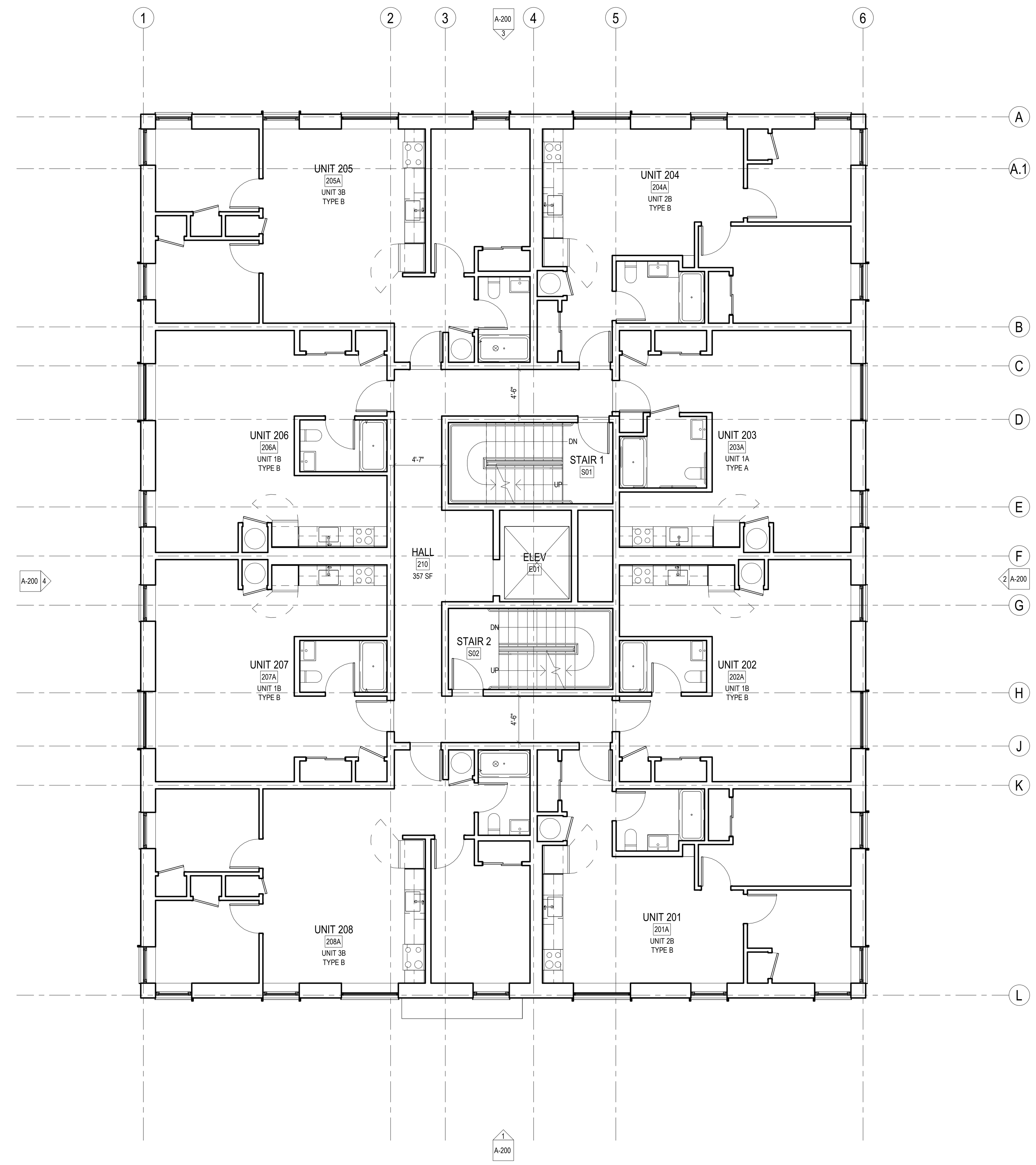
27 of 29



FLOOR AREA: 5,973 SF

4 STUDIOS
2 2-BEDS
2 3-BEDS

2 LEVEL 3 PLAN
1/8" = 1'-0"



FLOOR AREA: 5,973 SF

4 STUDIOS
2 2-BEDS
2 3-BEDS

1 LEVEL 2 PLAN
1/8" = 1'-0"

NOT FOR CONSTRUCTION

Primary Projects

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PRIMARY PROJECTS, PLLC
2330 HORTON STREET
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KYLE BARKER, AIA (ME LICENSE: ARC5339)
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617 440 4674

42 ATLANTIC STREET HOUSING

PROJECT #
2309

PROJECT ADDRESS
42 ATLANTIC ST
PORTLAND, ME 04101
PARCEL ID: 016 F001001

OWNER
LB ATLANTIC LLC
P.O. BOX 10452
PORTLAND, ME 04104

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ACORN ENGINEERING, INC.
PO BOX 3372
PORTLAND, ME 04104

STRUCTURAL ENGINEER
BASE DESIGN GROUP, INC.
117 AUBURN STREET, 2ND FLOOR
PORTLAND, ME 04103

MEP-FP ENGINEER
BLW ENGINEERS, INC
311 GREAT ROAD, PO BOX 1551
LITTLETON, MA 01460

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8" CMU Wall See schedule for specs

PLAN NOTES
1. ALL DIMENSIONS ARE TO FACE OF FINISH

SCALE As indicated
DATE 04/01/24

SHEET TITLE
SECOND & THIRD FLOOR PLANS

SHEET #
A-103

NOT FOR CONSTRUCTION

Primary Projects

ARCHITECT
PRIMARY PROJECTS, PLLC
2330 HORTON STREET
NORTH DIGHTON, MA 02764
-
KYLE BARKER, AIA (ME LICENSE: ARC5339)
KYLE@PRIMARYPROJECTS.ORG
617 440 4674

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PARCEL ID: 016 F001001

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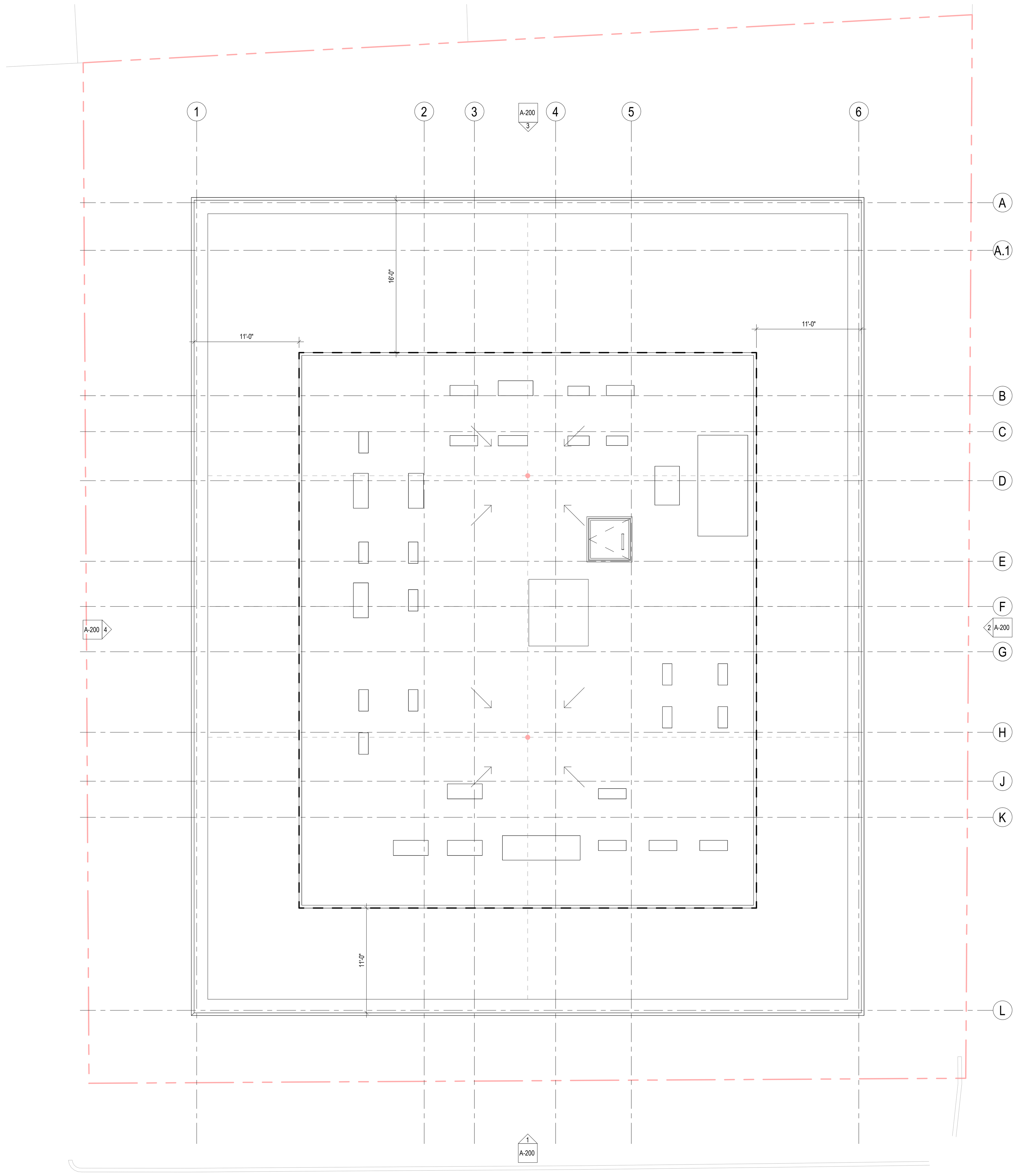
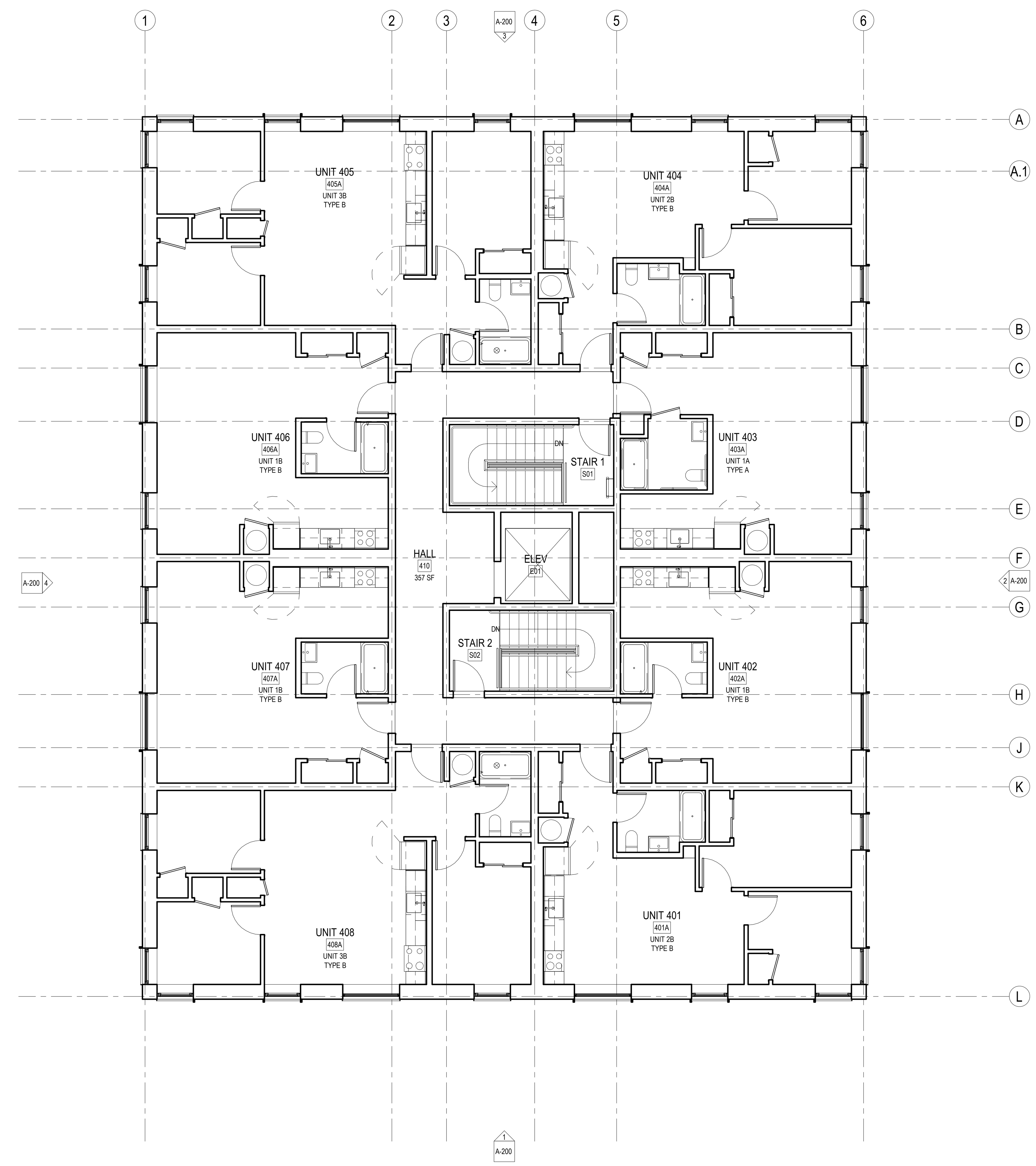
DATE	ISSUANCE



2 ROOF PLAN
1/8" = 1'-0"



FLOOR AREA: 5,973 SF
4 STUDIOS
2 2-BEDS
2 3-BEDS

1 LEVEL 4 PLAN
1/8" = 1'-0"

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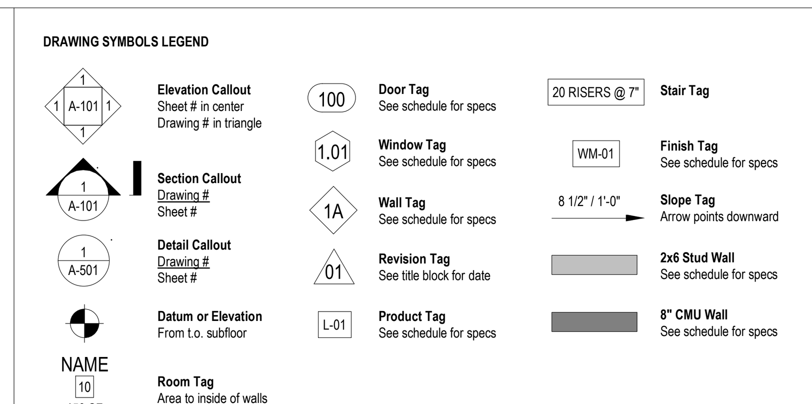


PLAN NOTES

1. ALL DIMENSIONS ARE TO FACE OF FINISH

SCALE	DATE
As indicated	04/01/24

SHEET TITLE

FOURTH FLOOR & ROOF PLANS

SHEET #

A-104

29 of 29

City of Portland | Housing and Economic Development Department
Housing and Community Development Division
Mary P. Davis, Division Director

To: Councilor Ali, Chair
Members of the Housing and Economic Development Committee

MEETING DATE
July 16, 2024

AGENDA ITEM
Affordable Housing and Tax Increment Financing Development Funding Requests for 197 & 207 Oxford Street.

PURPOSE
Avesta's 197 & 207 Oxford Street is requesting $650,000 in capital subsidy funding, and an Affordable Housing Tax Increment Financing and Credit Enhancement Agreement.

COMMITTEE WORK PLAN/CITY COUNCIL GOAL ALIGNMENT
Increase, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.

BACKGROUND/ANALYSIS

197 & 207 Oxford Street: Avesta Oxford Street LP is requesting an Affordable Housing TIF (75% for 30 years), and $650,000 in Affordable Housing Development funding to demolish two vacant structures previously occupied by the Oxford Street Shelter to construct a five story, 48-unit affordable housing building. Of the 48 units, 28 would be reserved for residents seeking supportive housing in a Housing First model, and the remaining 20 units would be standard LIHTC apartments.

The building will have two separate wings: the 28 Housing First units would be addressed as 207 Oxford Street with an entrance at the corner of Oxford and Cedar, and the 20 Affordable Housing apartments would be addressed as 197 Oxford with an entrance at the corner of Oxford and Chestnut. Each wing would have its own set of entrances, exits, circulation areas, stairwells and elevators, lobbies, community space, management office space, trash rooms, storage, and mechanical rooms. There will be limited parking on site, which would be used by staff. The new building would meet or exceed Portland's Green Building Ordinance. Construction would begin June 2025 and be completed during the summer of 2026.

197 Oxford Street would be comprised of 5 studio, and 15 one-bedroom apartments. Of the 20 units, 19 would be reserved for households earning at or below 60% AMI (i.e. $53,550 for a one-person household), and 1 would be reserved for a household earning at or below 50% AMI (i.e. $44,650 for a one-person household). The Affordable Housing wing would also feature a mail room and lobby, a multipurpose community room, a laundry room, an indoor trash room, and staff offices.

207 Oxford Street would be comprised of 20 studio apartments each with a kitchen, bathroom, and sitting area. The ground floor of the Housing First wing of the building would include a secured vestibule, a reception desk

staffed 24 hours a day, a shared community kitchen, a community gathering space, a case management office, staff offices, a staff conference room, and a staff break room. This wing of the building will also have its own indoor trash room, laundry room, and mail room.

After completion, property management and resident services would be provided through a shared partnership between Avesta Housing Management Corporation (AHMC) and Preble Street. AHMC would be responsible for comprehensive property management services for the property as a whole. Preble Street would partner in the Housing First wing of the building, providing 24/7 site-based support to residents in that portion of the building.

The underwriting recommendation is for a loan in the amount of up to $650,000, provided this level of City funding is available, with repayment from cashflow at 10% of cashflow in years 1-10, and 25% of cashflow in years 11-30 at zero percent interest for the first 10 years, with interest of 3% in years 11-30.

Also recommended is a TIF of 75% for 20 years, reduced to 25% for years 21-30 conditioned on the satisfactory review of the following prior to Council review:

- Satisfactory review of a balanced development budget (no capital gap) including sources and uses that incorporate a 3rd party cost estimate;
- Satisfactory review of complete agreement between Avesta and Reveler.

Conditions of closing -- satisfactory review of:

- Commitment of PBVs as reflected in final budget ;
- appraisal for property;
- market study;
- Phase II, building hazard assessment (if applicable), & hazard mitigation plan consistent with reports and included in budget;
- Review of 2023 audit (and any subsequent audits completed prior to closing);
- Debt and equity on terms and conditions acceptable to the City of Portland;
- Planning Board approval, and if applicable, evaluation of off-site Inclusionary Zoning units.
- All standard construction conditions, including satisfactory review of final contract with GC consistent with budgeted estimates, and total contractor overhead, profit and general conditions of not to exceed 14% of net construction costs.

FISCAL IMPACT

- When completed, the project's total assessed-value is estimated at $5.9 million, which would yield $85,000 in annual assessed property value in year one at the current FY24 millage rate.
- The approximate total amount of tax revenue (aka captured valuation) that would be returned to the project/developer is $1,710,245 in total after the 30-year term (or $57,008 per year averaged over the 30-year term);
- The approximate total amount of tax revenue (aka non-captured valuation) that would be deposited into the general fund is $1,402,324 in total after the 30-year term (or $46,744 per year averaged over the 30-year term);
- If the project is not completed, the parcels total assessed-value of $680,000, would yield approximately $10,000 in annual assessed property value during the FY25 tax year;
- With the tax sheltering benefits of TIF Districts, overall savings to the City during the term of the district averages an estimated annual amount of $23,186+, or $695,576 over the life of the district.

.

197 & 207 Oxford Street is currently in the Bayside Area-wide Tax Increment Financing District. The Bayside TIF District will need to be amended by the City Council during the August 19, 2024 meeting to remove .349 acres at 197 & 207 Oxford Street in order for the property to be made and Affordable Housing Tax Increment Financing District.

CONCLUSIONS

Recommendations

1. Motion to recommend to the City Council approval of a loan from the Jill C. Duson Housing Trust Fund in the amount of $650,000 for the Avesta 197 & 207 Oxford Street Project, with the terms as presented by staff.
2. Motion to recommend to the City Council to remove 197 & 207 Oxford Street from the Bayside Area-wide Tax Increment Financing District.
3. Motion to recommend to the City Council approval of an Affordable Housing Tax Increment Financing District and Credit Enhancement Agreement for the Avesta 197 & 207 Oxford Street Project, with the terms as presented by staff.

PRIOR COMMITTEE REVIEW

None

PREPARED BY

Mary Davis	Victoria Volent
Division Director	Housing Program Manager
Housing and Community Development Division	Housing and Community Development Division

ATTACHMENTS

Attachment A – 197 & 207 Oxford Street

B. Project Information

Please provide the following information.

B.1. Property Address
197 & 207 Oxford Street Portland, ME 04101

B.2. Project Name
Oxford Street Apartments

B.3. Tax chart, block, and lot number
026 B012; 026 B018

B.4. Zoning Designation
R-6

B.5. Is the requested funding type HOME/HTF?
Yes

B.6. Requested amount of Affordable Housing Development Funding
$650,000.00

B.7. Is the requested funding type AHTIF?
Yes

AHTIF Terms:
75% for 30 years

B.8. Total number of housing units to be constructed:
48

B.9. Total number of housing units to be rehabilitated:
0

B.10. Total Number of market rate units:
0

B.11. Total number of deed restricted units:
48

B.12. Total number of Units at 120% AMI:
0

B.13. Total number of Units at 110% AMI:
0

B.14. Total number of Units at 100% AMI:
0

B.15. Total number of Units at 80% AMI:
0

B.16. Total number of Units at 60% AMI:
19

B.17. Total number of Units at 50% AMI:
29

B.18. Total number of Units at 40% AMI:
0

B.19. Housing Type
Rental

B.20. Total number of studio/efficiency units:
33

B.21. Total number of one-bedroom units:
15

B.22. Total number of two-bedroom units:
0

B.23. Total number of three-bedroom units
0

B.24. Total number of four-bedroom units
0

B.25. Total number of five-bedroom units
0

B.26. Property Manager
Avesta Housing Management Company

B.27. When is construction expected to begin?
06/01/2025

B.28. Please use the box below to answer the remaining questions and provide a narrative description of the project that includes:

- **Description of municipal housing need and how the development addresses that need;**
- **Requested amount of Affordable Housing Development Funding;**
- **Description of how City's participation is financially necessary in order for the project to proceed;**
- **Description of allowed uses in the zone;**
- **Description of residential and non-residential uses in the area;**
- **Description of accessory uses relating to residential use, if any;**
- **Indicate if this project requires relocation of existing commercial or residential tenants;**
- **Description of relocation plan for persons temporarily or permanently displaced by development activities;**
- **Description of how the development is consistent with the Comprehensive Plan**
- **Description of how housing and facilities in the development will be operated after completion;**
- **Description of planned uses of tax increment revenues from the district (AHTIF projects only).**

Oxford Street Apartments will be in the R-6 Zoning District and addressed as 197 and 207 Oxford Street. The proposed building comprises the full block frontage from Cedar Street to Chestnut Street and will create 48 affordable homes in this central location in Portland at a time when affordability is more out of reach than ever. Of the 48 proposed homes, 28 will be reserved for residents seeking supportive housing in a site-based housing first model, and the remaining 20 will be standard LIHTC apartments.

To best serve the residents living in these two different types of apartments, the building will have two separate wings: The 28 Housing First units will be addressed as 207 Oxford Street with an entrance at the corner of Oxford and Cedar, and the 20 Affordable Housing apartments will be addressed as 197 Oxford with an entrance at the corner of Oxford and Chestnut. Each wing will have its own set of entrances, exits, circulation areas, stairwells and elevators, lobbies, community space, management office space, trash rooms, storage, and mechanical rooms. This design is very intentional, as it will allow property management, service providers, and other staff to address the specific needs and requirements of each population to ensure successful and comfortable tenancy by all households.

The ground floor of the Housing First wing of the building will include about 5,000 square feet of common space and staff areas. This will include features such as a secured vestibule, a reception desk that will be staffed 24 hours a day, a shared community kitchen, a community gathering space, a case management office for resident meetings and services, staff offices, a staff conference room, and a staff break room. These areas are critical to the success of the proposed development, as they facilitate the development of community connections and staff-resident relationships that foster success among individuals living in the building, while also providing staff with sufficient workspaces to carry out the critical work of running this program. In addition to these Housing First specific areas, this wing of the building will also have its own indoor trash room, laundry room, and mail room.

The Affordable Housing wing will also feature standard elements of modern housing – a mail room and lobby, a multipurpose community room for resident use, a laundry room, an indoor trash room, and staff offices. Additional space is identified for maintenance, mechanical systems, and various other building systems, including wifi. There will be limited parking on site, which will be used primarily by staff.

The developer is requesting no zoning variances for this development. Allowed uses in R-6 include medium- and high-density multifamily residential, which is consistent with the intended design for Oxford Street Apartments. Nearby uses are a combination of residential and mixed uses: abutting the property to the rear is a single family home, on the same block will be the location of future multifamily housing proposed by Reveler as later phases of this project, there are multifamily apartments across the street on Oxford, a seven-story multifamily building one block to the east, and about two blocks away there are more commercial uses such as office space, a six-story parking garage, a school, and small businesses. Prior uses on the site were the City-owned Oxford Street Shelter.

Oxford Street Apartments will be built on an infill site and will leverage the policies and strategies of the 2030 Plan to convert an underutilized parcel into a vibrant block of residential living.

The proposed building is part of an inclusionary zoning strategy to increase the amount of affordable housing available in new developments, and it will incorporate strategic energy efficiency goals and strategies to meet the Green New Deal requirements and deliver a sustainable and resilient building for the changing climate. The project follows priorities for higher density development in key downtown locations that are close to transit, municipal infrastructure, and supportive services. Finally, the proposed building seeks to respond to the growth of the Bayside neighborhood while not exceeding standard expectations – we will utilize the affordable housing density bonus, but we will not be maximizing the site; all other site parameters for setbacks, height, lot coverage, and more will be met without variance.

The Housing First strategy of this development is also deeply aligned with goals outlined in the 2030 plan, which speak to efficient use of municipal and other resources to assist the City's most vulnerable residents, including those experiencing, or at risk of, homelessness. The Housing First model is a proven strategy for improving outcomes for unhoused individuals by connecting people to holistic services and achieving predictability and stability in housing. A key side effect of this approach is a reduction in the incidence of municipal emergency services attending to crises, since those crises are more likely to happen when people are unhoused and disconnected from necessary wraparound services.

To fund this critical investment in affordable housing in Portland, Avesta Oxford Street LP is requesting an allocation of $650,000 of HOME or HTF funding and a 75% AHTIF for a 30-year duration. The combination of these two sources is critical to the financial feasibility of this development and allows us to leverage a combination of other state and federal funding to balance the budget.

The 0% deferred loan of $650,000 is a direct investment in housing that will help protect the most vulnerable residents in the community. The Housing First model requires significant supportive spaces within the building to ensure positive outcomes for residents, and city funds will help cover these additional development costs. This level of direct investment is on the higher end of per-unit investment typically done by the City, but the specific needs and priorities of the Housing First property, including approximately 5,000sf of additional building space and the design elements associated with the two-wing approach, create significant additional capital costs during construction. These elements are critical to the project's ability to achieve a successful Housing First model, as well as additional affordable housing at a time of great need. This higher level of municipal investment will be a critical piece of feasibility for that scope.

Meanwhile, the proposed TIF will reduce operating costs by an estimated $90,000 beginning in Year 1. This significantly improves the project's DSCR over the course of its compliance periods and allows the development to borrow more permanent debt. Due to the MaineHousing program offerings, Oxford Street Apartments will be eligible for a reduced cost 6% interest only loan. This means that the $90,000 of property tax reduction facilitates almost $1.4 million in additional permanent loan sources, which is an excellent leverage of municipal support for the overall project budget. The TIF at this funding level will also position the proposed development to be very competitive in the upcoming round of MaineHousing LIHTC applications. The DSCR does increase throughout the project timeline. In Y11, the DSCR reaches 1.28, and in Y21 it reaches 1.85. However, without the TIF in Y21, the DSCR drops back precipitously to 1.23. Given the various other financing constraints on the project, especially the uncertain volatility in utility costs and other expenses over time, the 30-year term is a significant boost for overall feasibility.

The requested municipal investment is a reasonable request for the proposed 48 apartments because of the crucial need for affordability at all income levels in Portland. Simply put, the demand for affordable housing is higher than ever. Avesta Housing manages 788 income-restricted rental units in Portland, and there are 965 income-eligible households are on the waitlists for these apartments. Given that the average tenure of an Avesta resident is around five years, some of the households on the current waitlist will still be waiting in 2030. Meanwhile, the waitlists keep growing. In 2019, over 3,380 households applied to Avesta for housing. Only 359 new households were moved in. Therefore, the waitlist growth continues to outpace the rate of move-ins and the rate of new construction, which means that the need and demand for this housing is only growing. In 2022, we had 9,000 applications, 30% more than 2021 and double 2020. The number of applications was 12x the number of homes that became available during that same period.

In many cases, the creation of a new affordable unit is not just a financial benefit to households who are able to live more affordably, but instead actually represents the difference between being housed and being homeless. Of the 5318 households on the waitlist for an Avesta apartment anywhere in Maine or New Hampshire, 43% (2285) are currently homeless. Of the 965 households waiting for an apartment in Portland, 63% (612) are homeless. In addition to these currently homeless households, there are countless others at risk of homelessness due to any number of circumstances.

There are currently only 85 existing site-based housing first units in Portland, located in three separate developments owned by Avesta and managed by Avesta in collaboration with Preble Street. As of April 2024, Preble Street had 161 confirmed individuals on the waitlist for a Housing First apartment. The three existing Housing First properties all have high occupancy rates and average tenancies of around four years. This means that unhoused individuals looking for the additional support of Housing First to move out of homelessness may wait for years to be housed. Housing First is a proven method for improving outcomes and comfort for those how have experienced homelessness. Preble Street data indicates a high success rate, with less than a quarter of individuals returning to homelessness after leaving a housing first home.

The proposed Housing First apartments at Oxford Street Apartments would increase the number of site-based housing first homes in Portland by 33% percent. Though this development alone will not eliminate homelessness, it is an important and tangible step toward improved outcomes for those who are experiencing homelessness. The true transformational impact this type of supportive housing will have is impossible to qualify or quantify. However, based on average tenancies and an estimated useful life of 100 years, the 28 housing first units at Oxford Street Apartments are estimated to provide safe, decent, and stable homes to over 700 different individuals.

Avesta's portfolio and waitlist information also demonstrate significant need for apartments of the sizes proposed for Oxford Street Apartments: More than half of waiting households have a preference for a 1BR apartment, and there is a significant backlog of demand for this unit size. The new affordable units at Oxford Street Apartments will be a combination of efficiencies and one-bedroom units, specifically to address the needs of individuals and smaller households that need more affordable housing.

The City's financial support of this project will help us break ground in 2025 with the goal of having 48 completed homes ready for occupancy in late 2026.

After completion, property management and residence services will be provided through a shared partnership between Avesta Housing Management Corporation (AHMC) and Preble Street. AHMC will be responsible for comprehensive property management services for the property as a whole, overseeing leasing, building operations, regulatory compliance and reporting, maintenance, and resident services as required by the LIHTC funding program. The cost for property management will be paid for out of the property's operating budget and is reflected as a cost in the attached proforma.

Avesta owns and manages over 100 affordable housing developments, for a total of over 3,000 units and 3,500 residents in Maine and New Hampshire. The Avesta Housing management portfolio consists of state and federally assisted family and elderly/disabled housing, affordable rent-restricted apartments, mixed-income (affordable and market rate) rental developments, supportive housing for long-term homeless and visually impaired, and unrestricted workforce housing. AHMC is a sophisticated property management team that oversees all aspects of property occupancy and operations. AHMC consistently receives high marks from state, federal and private-sector partners, and we are recognized nationally for groundbreaking work in bringing together nonprofit, for-profit, private and public-sector organizations for the benefit of our communities. The AHMC team includes Regional Property Managers, Senior Property Managers, Property Managers, Assistant Property Managers, Resident Service Coordinators, and Maintenance Technicians to provide support at all levels. These staff members are led by the Vice President of Property Management & Resident Services.

Preble Street will be a key partner in the Housing First wing of the building, providing 24/7 site-based support to residents in that portion of the building. Preble Street has a proven staffing strategy that includes three shifts of on-site staffing that includes caseworkers, resident service providers, other support staff, and supervisors. These on-site roles are directly supported by other staff at Preble Street, including the Vice President of Social Work, Senior Director of Social Work, Deputy Director, and Executive Director. The combination of these roles ensures that both residents and staff receive the support they need to be successful in this site-based housing first environment. This staffing structure has been in place at the three other site-based Housing First properties Preble runs in the community: Huston Commons, Florence House, and Logan Place. This long-term experience means that Preble Street is uniquely situated to understand and respond to the needs of residents regardless of where they are on their housing journey. The cost of supportive services will be covered by Preble Street outside of the property operating budget using other funding streams.

No households or businesses will be displaced by this development.

Urban Ventures

To: Mary Davis, City of Portland
From: Anne Boynton, Urban Ventures, Inc.
Re: 197 & 207 Oxford Street, Avesta Housing Development Corporation
Date: 7/12/24

Executive Summary

Avesta requests a capital investment of $650,000, payment fully deferred for 30 years for a new construction property with 48 units. This is a requested capital subsidy of $13,542/ residential unit. Avesta also requests a 75% 30 year TIF with a projected value of $2,586,217, which is a cumulative 30 year operating subsidy of $35,920 per unit.

The property will have with two components. 197 Oxford will provide permanent supportive housing to 28 singles in efficiency apartments with 24/7 staffing and services provided by Preble Street. 207 Oxford will provide 20 units (5 efficiencies and 15 one bedrooms). Nineteen of the units will serve people at 60% AMI while one unit will serve a household at 50% AMI. The two project components will share one physical structure but will be fully separate on the interior, with different entries, internal systems, and no interior doors between the two components.

Sources and Uses

Sources:		Uses:	
Maine Housing Must Pay Loan	$4,975,000	Construction Hard Costs	$15,406,244
Maine Housing 0% Deferred	$2,880,000	Financing & Soft Costs	3,119,363
City of Portland	$650,000	Hard Cost Contingencies	1,084,237
Net Syndication Proceeds	$8,084,192	Acquisition	564,000
FHLB Subsidized Advance	$1,250,000	Reserves	496,071
FHLB AHP Subsidy	$850,000	Developer Fee	750,000
Congressional Earmark	$1,450,000		
Capitalization GAP	$1,280,723		
Total Sources:	$21,419,915	Total Uses:	$21,419,915

Avesta will apply to Maine Housing for a first mortgage with interest only monthly payments with an anticipated annual payment of $298,500, and for 0% deferred subsidy financing of $2,880,000 which is $60,000/unit, the Maine Housing limit for City of Portland. Avesta has an established track record of projects funded by Maine Housing. Avesta has a letter of intent dated 5/16/24 from a syndicator, CREA, at $.84/credit. A letter of intent is much more detailed than a letter of interest and expresses strong interest in moving ahead with the project.

The Congressional Earmark has been secured. Avesta is working with Bangor Savings on the FHLB AHP subsidy and subsidized advance. The application will be submitted on or before July 18th and decision received by the end of December. Avesta has sustained success competing for AHP funding. This project's self-score is currently 69.5, comparable to prior approved projects.

For analysis of "Uses," see Development Budget.

Development Budget

Overall, most line items in the development budget are consistent with the current market and industry standards, given the extraordinary price pressure on construction costs and high interest rates

Construction Costs:

The construction cost estimate is from Penobscot. It came in substantially higher than Avesta was expecting based on Avesta's internal cost estimating, which has resulted in the $1.28 million gap in sources. The quote does seem high – it is consistent with the projected cost/unit of the COMB/PHDC units, which are primarily family sized units, not the efficiencies and 1 bedrooms of this project. Avesta will be working with Penobscot to identify cost savings to bring down the quote. Avesta has completed one project with Penobscot and is currently in preconstruction with another project and found them to be diligent in finding cost savings. However, one of the disadvantages of fully separated "two door" projects is lost efficiency for shared systems and spaces. For instance, this project must have 2 elevators and 4 flights of stairs, double the number necessary if it functioned as a single building. Also both components of the property must have common space, office space, trash rooms, laundries, etc.

Soft Costs:

Soft costs range are reasonable and customary for a project of this scale. Developer fee of $750,000 is 3.72%, low by industry standard and the Portland market, but consistent with the Maine Housing cap on cash out fees.

Contingency:

Hard cost contingency is budgeted at the industry standard 5% for new construction, plus the construction estimate includes a 2% estimating contingency for design development plans. Considering the cost environment and early stages of planning, this is the minimum appropriate contingency. Soft cost contingency is $48,000, which is 1% of soft costs -- unacceptably lean especially considering how early in the development process this project is. This concern is mitigated by the financial strength of the borrower.

***Acquisition and Environmental*:**

Avesta is acquiring this parcel of land from Reveler as part of the larger Reveler redevelopment effort in Bayside. Avesta has a $10,000 Option Agreement with Reveler to purchase the 197/207 Oxford parcel, which expires 7/26/24. A single, one year extension is available to Avesta for an additional $10,000. The budgeted acquisition price is $546,000, which is $11,750/unit. The Option Agreement states it is not the complete agreement between the parties -- to evaluate this sale, the remaining document governing the relationship needs to be reviewed.

No appraisal has been submitted. A Brokers Estimate of Value dated 5/20/2024 was provided from The Boulos Company. Boulos concludes the "As Is" market value of the land is $1,950,000, or $40,625/unit. The valuation includes 5 sales with a range of per square foot values from $127 to $219. The list of comparable sales does not include the most recent sale of this property. It was acquired by the developer in October 2022 for $500,000. There is no explanation provided for the almost 4-fold increase in price in less than 2 years.

While $11,750 per unit is certainly below the market value for a buildable parcel in central Portland being sold for market rate housing, it is also the highest price per unit of the affordable housing applicants in this round. In fact, it is almost twice the price of the next highest per unit priced project ($5,843). The intense cost pressure on affordable housing and the substantial points awarded in the QAP for projects with low acquisition costs have resulted in a median per unit acquisition price of $5,360 across six applications.

Satisfactory review of an appraisal is a best practice condition of this loan recommendation.

Environmental: The Phase I is dated 4/29/24. It found two Recognized Environmental Conditions: 1) a 39 year history of an autobody shop operating on the site, until 1988, and 2) use of urban fill to create the site in the mid to late 1800's. The Phase I recommends a Phase II to explore these potential hazards. The report also identifies two Business Environmental Risks: 1) proximity of homeless individuals, 2) known asbestos containing materials from a different hazardous materials survey, and the possibility of additional hazards including lead based paint, PCBs, and mold in the existing structure. The Phase I recommends a supplemental building hazard survey to address these building related potential hazards. A Phase II has been ordered and is expected in the late summer/early fall. Satisfactory review of the Phase II, building hazard assessment if Reveler does not conduct the demolition before transfer, & hazard mitigation plan consistent with reports and included in budget is a recommended condition of closing.

Operating Budget & 30 Year Cashflow Projection

Project Income and Market Study:

For the 28 PSH units, Project Based Vouchers are assumed and voucher rents are built into the pro forma at PHAs reimbursement rate. While Avesta is in conversation with PHA about this project and the need for vouchers, the vouchers are not committed, no application has been submitted, and the timeline for the voucher process is not clear. Avesta has a well-established working relationship with the PHA. Avesta's most recent project in Portland received 12 PBVs from PHA for Porter Station in 2020. Avesta's Portland portfolio includes 11 properties with PBV's and a total of 205 PBV. This average of 18+ PBV's per property demonstrates that Avesta's request for this property of 28 PBV's is not out of line with their experience with PHA.

For the 20 "workforce" units, no vouchers are budgeted. One unit will serve a household at 50% AMI and 19 will serve households at 60% AMI. For TIF underwriting, the City underwrites at the LIHTC maximum rents. This has led to a minor discrepancy ($1,020 in year 1) between Avesta's projected rents and the City's, as Avesta maintains that the maximum LIHTC rent for an efficiency of $1,339 exceeds the true market rate by $17/month. In the absence of a market study to substantiate this concern, the City continues to underwrite at the LIHTC maximum, but given the minor nature of the discrepancy, it does not change DSCR and debt sizing.

No market study has been provided; however, Avesta's waitlist data amply demonstrate the demand for the housing provided by both components of the project. Avesta's current waiting list for Portland residences includes 965 income eligible households (for a portfolio of 788 units). More than half of the households prefer a 1-bedroom unit. Of those 965 households, 612 (63%) are homeless. Preble Street has a waiting list of 161 individuals for 85 units of permanent supportive housing. Satisfactory review of a market study is a best practice condition of approval.

Only 5 parking places are proposed for the project, however, the location has a near perfect walk score of 98, categorized as "Walkers Paradise." It is a 4 minute walk to community services and neighborhood restaurants, 6 minute walk from a major grocery store, 8 minutes to a choice of pharmacies. It also has a transit score of 53 ("Good Transit") and a bike score of 76 ("Very Bikeable"). It is unlikely that parking limitations will have a negative impact on marketing these units.

Both the PSH efficiency units and the "workforce housing" units will have a full kitchen and private bathroom with shower. The PSH units will benefit from 5,000 sq feet of shared space on the first floor, with two resident sitting areas, a communal kitchen, and laundry facilities, 4 offices for staff and service providers, a conference room, and a staff lounge. The workforce housing units will share a laundry on the 3rd floor, and the entry level will include a sitting area in the lobby with a kitchenette, a parcel room, and a property management office.

Operating Expense

Operating expenses total $8,829 per unit, including all utilities. This includes $1,771 per unit in real estate taxes, leaving $7,058 for all other operating expenses. This is the lean end of projections post covid. Maintenance in particular is lean for a PSH project, at $1,521 per unit. Utilities of $1,520 for new construction efficiencies and 1 bedrooms is lower than other applicants this round, even though the project is not designed to Passive House standards. Administrative expense is at the upper end of what is possible with affordable housing at $2,048/unit, and may provide some flexibility for Avesta within the operating budget. Insurance may also be high, but that is difficult to predict these days.

30 Year Cashflow & Debt Service Coverage Ratio (DSCR)

Cashflow is lean in the early years, with a budgeted DSCR of 1.12 in year 1. It takes till year 3 for the project to achieve Maine Housing's standard year 1 DSCR requirement of 1.15. This is consistent with Maine Housing's stated policy of underwriting to a 1.10 DSCR in a project with PBVs. Maine Housing has recognized the additional security of income stream in two recent Avesta projects with PBVs for a significant portion of the units: Meadowview II in Grey (closed in 2024) and Wedgewood in Lewiston (closed in 2023). The Wedgewood, like this project, includes PBVs for about half of the units. PBVs reduce the lender's perception of income stream risk, which leads some lenders to reduce their DSCR requirements for projects with relatively high levels of PBVs.

TIF 75% 30 year is $2,545,331 for both components of the project, which is $53,027/unit over 30 years. With a 75% TIF and industry standard inflators of 2% income and 3% for operating expense, cashflow grows quickly, reaching the City's long term target DSCR of 1.20 by year 7, and topping out at 1.47 in year 30. This is substantially above the underwriting target of 1.20, and points to an over subsidy for years 20-30 of the requested 30 year TIF.

Developer Financials

Avesta Housing Development Corporation has provided audits for 2022, 2021, 2020. The 2023 audit is prepared but will not be released until the Avesta Board meets on July 11. Avesta HDC's 2022 audit shows Avesta HDC in the middle of a building boom. While Avesta's unrestricted cash position declined by $1.36 million (almost 42% from 2021), and overall Current Assets declined by $2 million, Restricted Deposits and Reserves, which includes cash restricted to construction expenses grew $6 million, and property assets grew by $47 million. In 2022, Avesta HDC's net position increased by $3.66 million to

$165,840,098, an increase of just over 2% from 2021. There has been substantial growth in net assets since 2013, with net assets up 213% in 9 years (2013 net assets were $78 million).

Avesta HDC's 2022 current ratio (current assets divided by current liabilities) was .44, alarming on the face of it. That very low current ratio is driven primarily by the current portion of long-term debt, which was $25,126,393 (and comprise 65% of current liabilities). Avesta HDC had 4 projects with a total of over $25 million in construction financing to be repaid with tax credit equity or long-term debt. The $25 million figure was comprised of four different construction bridge loans, on four new construction projects. As of today, all four loans have been repaid from permanent financing proceeds. All four projects are complete, and no construction loans remain outstanding. Excluding construction debt, the current ratio was a lean but acceptable 1.26.

In 2022, revenues were $51.6 million (up 7.8% from 2021 revenue of $47.9 million). This increase in revenues is widely disbursed across revenue items -- consistent with Avesta HDC's growing real estate portfolio, tenant income was up more than $1.87 million, and subsidy income up $1.5 million. Grants and Contributions were also up $1.5 million. Total expenses were up $4.9 million, an increase of 14.7% overall. Wages were up $13.4%, administration up 28.9%, and operating expenses up 15%. In 2022 net operating income was $7.2 million (after interest expense but prior to depreciation and amortization). Depreciation and amortization resulted in a paper loss of $3.97 million, but this paper loss was more than outweighed by the growth in equity in the real estate portfolio, with capital contributions from limited partners in LIHTC projects of $7.8 million, resulting in the $3.66 million growth in net assets.

Inflation in operating expenses has hit all real estate operators, especially in utilities and insurance. Avesta HDC is actively targeting those two areas for cost containment. On utilities, Avesta is seeking to install solar arrays at most properties going forward, tapping IRA benefits to help offset the costs of installation of solar arrays. On the insurance front, Avesta is investing in building resilience to extreme climate events to negotiate lower rates, including enhancing drainage to address potential flooding and upgraded sprinkler systems.

Avesta HDC has provided a management income & expense statement through 12/31/23. These statements have not yet been audited, nor adjusted for non-cash transactions, so comparison with audited figures is imperfect. However, interim management statements do shed light on broad trends. Through December 2023, revenues figures show continued very strong growth – with total revenue of $66.4 million, up 28.7% over 2022. Net operating income (before depreciation and amortization) is very healthy at almost $12.5 million. Interest expense was $6.4 million. Depreciation of $11.3 million resulted in a paper loss of $3.69 million, but this paper loss was more than outweighed by the growth in equity in the real estate portfolio. Net assets are over $181 million, with growth in net assets of over $15 million in 2023. That's a 9% increase in net assets year over year. Remember the caveat, this is prior to audit adjustments, however, it is indicative of strong growth in net assets and further indication of Avesta's strong financial performance in 2023.

Avesta HDC has also provided year to date management income & expense statement through 5/31/24. Through May, 2024, revenues figures show continued strength, with revenue outperforming budget to date by 4.4% and expenses tracking with budget. Net operating income (before depreciation and amortization) is very healthy at $5.5 million for the 5 month period. Avesta's cash + cash equivalents is extremely strong -- over $17 million – leading to a healthy Quick Ratio of 1.69. 2024 is off to another good start for Avesta.

Impact of pandemic: The primary impact of the pandemic on Avesta HDC was delayed and increased cost in construction. Avesta HDC sees construction inflation settling into a "new normal." Avesta HDC was less impacted on the operating side, and their financials demonstrate the pandemic has not led to declines in rent revenue, collections, or occupancy.

This developer has the financial capacity to intervene in a development facing unexpected setbacks and or cost over-runs to keep the development process moving forward. Their financial strength as an organization mitigates the risk inherent in any construction project and the absence of a soft cost contingency.

Recommendations

The developer must at minimum meet three primary criteria for an AHTIF approval:

1. Community Need: "…site specific AHTIF designations must address an identified community need."

Avesta proposes to redevelop an underinvested site, creating a total of 48 units of housing for households at 50-60% AM, including 28 units of Permanent Supportive Housing. Affordable housing is identified as a community need in Portland's Plan 2030, the 2022-2026 HUD 5-Year Consolidated Plan and the City Council's 2024 Common Goals.

2. Financial Necessity: "The applicant must demonstrate the City's participation is financially necessary in order for the project to proceed."

The financial projections demonstrate that a TIF will be necessary for the project to proceed. The TIF functions to support the cashflow of the project and demonstrates a cashflow cushion to the mortgage lender to meet the lender's underwriting standards, in this case Maine Housing's requirement of 1.15 DSCR in year 1. However, while a 75% TIF is needed in year 1, the project does not need a 75% TIF subsidy in year 21. In year 21, a 25% TIF results in a 1.21 DSCR, sufficient to meet the financial needs of the project, and results in a savings to the General Fund of almost $700,000.

TIF Rate	Year 1 DSCR	Highest DSCR	Year 30 DSCR	TIF value
75% 30 years	1.12	1.47 (yr 30)	1.47	$2,586,217
75% 20 years + 25% 10 years	1.12	1.36 (yr 20)	1.27	$1,894,711
			Savings to General Fund:	$691,506

3. Financial Capacity: "The applicant must demonstrate financial capacity to support their project."

Avesta has demonstrated the financial capacity to support their project through securing a Congressional Earmark, the letter of intent from the syndicator, and their strong organizational financials (see Developer Financials above).

This is an appropriate redevelopment, making good use of the site by a developer with the development experience and financial resources to make the project successful.

I recommend a loan in the amount of $650,000, with repayment from cashflow at 10% of cashflow in years 1-10, and 25% of cashflow in years 11-30. I recommend zero percent interest for the first 10 years, with interest of 3% in years 11-30.

I also recommend a TIF of 75% for 20 years, reduced to 25% for years 21-30.

Conditions prior to Council review:

- Satisfactory review of a balanced development budget (no capital gap) including sources and uses that incorporate a 3rd part cost estimate, and operating pro forma;
- Satisfactory review of complete agreement between Avesta and Reveler.

Conditions of closing -- satisfactory review of:

- Commitment of PBVs as reflected in final budget
- appraisal for property
- market study
- Phase II, building hazard assessment (if applicable), & hazard mitigation plan consistent with reports and included in budget
- Review of 2023 audit (and any subsequent audits completed prior to closing)
- Debt and equity on terms and conditions acceptable to the City of Portland;
- All standard construction conditions, including satisfactory review of final contract with GC consistent with budgeted estimates, and total contractor overhead, profit and general conditions of not to exceed 14% of net construction costs.

Development Budget with Permanent Sources

Date	7/12/2024
Project Name	
Project Address	197 & 207 Oxford
Developer/Sponsor	Avesta

Total Units	48
Total Square Feet	43,750

		6/27 Budget w Penobscot estimate		
		Total	**Per Unit**	**Per Sq Ft**
Sources of Funds				
Permanent Financing - MH 1st Lien 6%, I only		$4,975,000	$103,646	$114
Permanent Financing - City of Portland		$650,000	$13,542	$15
Equity (LIHTC/tenant contributions)		$8,084,192	$168,421	$185
MH Subsidy		$2,880,000	$60,000	$66
Other -- FHLB Boston Subsidized Advance		$1,250,000	$26,042	$29
Other -- FHLB Boston Subsidy		$850,000	$17,708	$19
Other -- Congressional Earmark		$1,450,000	$30,208	$33
Capitalization GAP		$1,280,723	$26,682	$29
Total Sources of Funds		**$21,419,915**	**$419,567**	**$460**

Uses of Funds

Hard Costs				
Site Improvements		$1,025,000	$21,354	$23
Rehabilitation			$0	$0
New Construction		$12,950,555	$269,803	$296
Contractor's Profit, Overhead, & Gen. Requirements	10.7%	$1,457,616	$30,367	$33
Hazardous Materials abatement (if contracted separately)			$0	$0
Demolition Cost (if contracted separately)			$0	$0
Bond Premium		$272,049	$5,668	$6
Other			$0	$0
Hard Cost Contingency (% of hard costs)	5.0%	$785,261	$16,360	$18
Total Hard Costs		**$16,490,481**	**$343,552**	**$377**

Soft Costs				
Building Permit & Fees		$380,469	$7,926	$9
Survey & Engineering		$73,500	$1,531	$2
Design & Permitting (% of const exp)	6.1%	$775,000	$16,146	$18
Borrower Legal (all closings, excluding syndication legal)		$110,000	$2,292	$3
Title & Recording		$27,500	$573	$1
Accounting		$10,000	$208	$0
Construction Period Taxes		$75,000	$1,563	$2
Construction Period Insurance		$75,000	$1,563	$2
Other: FF&E, Security		$187,500	$3,906	$4
Other			$0	$0
Total Soft Costs		**$1,713,969**	**$35,708**	**$39**

Financing Costs				
Construction Loan Origination Fees		$20,000	$417	$0
Construction Period Interest		$1,100,000	$22,917	$25
Lender Inspection Fees			$0	$0
Letter of Credit Fee			$0	$0
Permanent Loan Fee		$2,000	$42	$0
Construction Lender Legal			$0	$0
Other		$22,000	$458	$1
Total Financing Costs		**$1,144,000**	**$23,833**	**$26**
Miscellaneous				
Market Survey		$5,500	$115	$0
Appraisal		$6,500	$135	$0
Environmental Study		$25,000	$521	$1
LIHTC Fees -- prepaid monitoring		$125,688	$2,619	$3
Other: Commissioning		$50,706	$1,056	$1
Relocation Costs			$0	$0
Other			$0	$0
Soft Cost Contingency (% of soft costs excl Dev Fee)	1.00%	$48,000	$1,000	$1
Total Miscellaneous:		**$261,394**	**$5,446**	**$32**
Acquisition				
Acquisition: Buildings			$0	$0
Acquisition: Land		$564,000	$11,750	$13
Acquisition: Legal			$0	$0
Other			$0	$0
Total Acquisition		**$564,000**	**$11,750**	**$13**
Reserves and Developer Fee				
Operating Deficit Escrow		$211,898	$4,415	$5
Prefunded Replacement Reserve		$129,506	$2,698	$3
Taxes & Insurance Escrow		$106,667	$2,222	$2
Developer Overhead		$750,000	$15,625	$17
Developer Profit			$0	$0
Rent Up Reserve & Marketing			$0	$0
Other		$48,000	$1,000	$1
Total Reserves and Developer Fee		**$1,246,071**	**$25,960**	**$28**
Total Uses of Funds		**$21,419,915**	**$446,248**	**$516**

Developer Fee Analysis:	Total Fees:	$750,000
(excluding reserves & developer fee)	ercent of TDC:	3.72%

Project Operating Pro Forma

Date	July 7, 2024
Project Name	
Project Address	197 & 207 Oxford
Developer/Sponsor	Avesta

Rental Income

Maximum LIHTC Rents

Unit Type	Number of Units	Per Unit Sq Ft	Total Sq Ft	Restriction on % Median Inc.	Per Unit Monthly Gross Rent	Utility Deductions	Rent Subsidy	Per Unit Monthly Net Rent	Per Unit Net Rent Per Sq Ft	Total Monthly Net Income	Total Annual Net Rent
0 BR	28		0	50%	$1,450	$0		$1,450	#DIV/0!	$40,600	$487,200
0 BR	5		0	60%	$1,339	$0		$1,339	#DIV/0!	$6,695	$80,340
1 BR	1		0	50%	$1,195	$0		$1,195	#DIV/0!	$1,195	$14,340
1 BR	14		0	60%	$1,434	$0		$1,434	#DIV/0!	$20,076	$240,912
Total:	**48**		**0**							**$68,566**	**$822,792**
						$0					

Operating Expenses

Rent Increase Rate	2.0%
Expenses Increase Rate	3.0%

Declining Balance TIF **year 1** **75%** **year 11** **75%** **year 21** **25%**

Note: Year 1 is the first full year of stabilized operations

		Year 1	**Year 1/Unit**	**Year 2**	**Year 3**	**Year 4**	**Year 5**	**Year 6**	**Year 7**	**Year 8**	**Year 9**	**Year 10**
Income												
Sch. Gross Income - Residential		$822,792	$17,142	$839,248	$856,033	$873,153	$890,617	$908,429	$926,597	$945,129	$964,032	$983,313
Vacancy Loss	5.0%	($41,140)	($857)	($41,962)	($42,802)	($43,658)	($44,531)	($45,421)	($46,330)	($47,256)	($48,202)	($49,166)
Laundry		$288	$6	$294	$300	$306	$312	$318	$324	$331	$337	$344
TIF (inflated at 2%)	75%	$63,750	$1,328	$65,025	$66,326	$67,652	$69,005	$70,385	$71,793	$73,229	$74,693	$76,187
Effective Gross Income		**$845,690**	**$17,619**	**$862,604**	**$879,856**	**$897,453**	**$915,402**	**$933,711**	**$952,385**	**$971,432**	**$990,861**	**$1,010,678**
Administrative												
Management Fee	5.4%	$44,148	$920	$45,472	$46,837	$48,242	$49,689	$51,180	$52,715	$54,296	$55,925	$57,603
Management Charges	5.4%	$44,148	$920	$45,472	$46,837	$48,242	$49,689	$51,180	$52,715	$54,296	$55,925	$57,603
Marketing Expense		$500	$10	$515	$530	$546	$563	$580	$597	$615	$633	$652
Legal		$500	$10	$515	$530	$546	$563	$580	$597	$615	$633	$652
Audit & Accounting		$7,500	$156	$7,725	$7,957	$8,195	$8,441	$8,695	$8,955	$9,224	$9,501	$9,786
Admin Other		$1,500	$31	$1,545	$1,591	$1,639	$1,688	$1,739	$1,791	$1,845	$1,900	$1,957
Total Administrative		$98,296	$2,048	$101,245	$104,282	$107,411	$110,633	$113,952	$117,371	$120,892	$124,518	$128,254
Supportive Services		$17,940	$374	$18,478	$19,033	$19,604	$20,192	$20,797	$21,421	$22,064	$22,726	$23,408
Utilities												
Fuel Oil			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Natural Gas		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Electric		$60,960	$1,270	$62,789	$64,672	$66,613	$68,611	$70,669	$72,789	$74,973	$77,222	$79,539
Water / Sewer		$12,000	$250	$12,360	$12,731	$13,113	$13,506	$13,911	$14,329	$14,758	$15,201	$15,657
Other			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Utilities		$72,960	$1,520	$75,149	$77,403	$79,725	$82,117	$84,581	$87,118	$89,732	$92,424	$95,196
Total incl Utiltiy Allowance												

Maintenance		Year 1	Year 1/Unit	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Grounds		$6,000	$125	$6,180	$6,365	$6,556	$6,753	$6,956	$7,164	$7,379	$7,601	$7,829
Janitorial			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Trash Removal		$12,000	$250	$12,360	$12,731	$13,113	$13,506	$13,911	$14,329	$14,758	$15,201	$15,657
Security			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Equipment & Supplies			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Maintenance		$20,000	$417	$20,600	$21,218	$21,855	$22,510	$23,185	$23,881	$24,597	$25,335	$26,095
Maintenance Contracts		$35,000	$729	$36,050	$37,132	$38,245	$39,393	$40,575	$41,792	$43,046	$44,337	$45,667
Other			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Maintenance		$73,000	$1,521	$75,190	$77,446	$79,769	$82,162	$84,627	$87,166	$89,781	$92,474	$95,248
Taxes & Insurance												
Real Estate Taxes	2%	$85,000	$1,771	$86,700	$88,434	$90,203	$92,007	$93,847	$95,724	$97,638	$99,591	$101,583
Payroll Taxes / Fidelity Bond / Workers Comp / Health Ins.			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Insurance (property, liability)		$55,000	$1,146	$56,650	$58,350	$60,100	$61,903	$63,760	$65,673	$67,643	$69,672	$71,763
Other			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Taxes & Insurance		$140,000	$2,917	$143,350	$146,784	$150,303	$153,910	$157,607	$161,397	$165,281	$169,263	$173,345
Replacement Reserves		$21,600	$450	$22,248	$22,915	$23,603	$24,311	$25,040	$25,792	$26,565	$27,362	$28,183
Operating Reserves			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Expenses		**$423,796**	**$8,829**	**$435,660**	**$447,863**	**$460,414**	**$473,325**	**$486,604**	**$500,264**	**$514,315**	**$528,768**	**$543,635**
Net Operating Income		**$421,894**	**$8,789**	**$426,944**	**$431,994**	**$437,039**	**$442,078**	**$447,106**	**$452,121**	**$457,118**	**$462,093**	**$467,044**
Debt Service												
Maine Housing Interest Bearing		$298,500	$6,219	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500
FHLB 4.75%		$78,247	$1,630	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247
Other			$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Debt Service (Must Pay)		$376,747	$7,849	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747
Cash Flow (after Must Pay Debt)		$45,147	$941	$50,197	$55,247	$60,292	$65,331	$70,359	$75,374	$80,371	$85,346	$90,297
Debt Service Coverage Ratio		**1.12**		**1.13**	**1.15**	**1.16**	**1.17**	**1.19**	**1.20**	**1.21**	**1.23**	**1.24**
Cash Flow Debt Payments												
City of Portland	10.0%	$4,515	$94	$5,020	$5,525	$6,029	$6,533	$7,036	$7,537	$8,037	$8,535	$9,030
Developer Fee Loan	0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Cash Flow Retained by Project		**$40,633**	**$847**	**$45,178**	**$49,722**	**$54,263**	**$58,798**	**$63,323**	**$67,836**	**$72,334**	**$76,812**	**$81,267**
Retained Cash Flow %	10%											

		Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20
Income											
Sch. Gross Income - Residential		$1,002,979	$1,023,038	$1,043,499	$1,064,369	$1,085,657	$1,107,370	$1,129,517	$1,152,107	$1,175,150	$1,198,653
Vacancy Loss	5.0%	($50,149)	($51,152)	($52,175)	($53,218)	($54,283)	($55,368)	($56,476)	($57,605)	($58,757)	($59,933)
Other income (laundry)		$351	$358	$365	$373	$380	$388	$395	$403	$411	$420
TIF	75%	$77,711	$79,265	$80,850	$82,467	$84,117	$85,799	$87,515	$89,265	$91,051	$92,872
Effective Gross Income		**$1,030,892**	**$1,051,510**	**$1,072,540**	**$1,093,991**	**$1,115,871**	**$1,138,188**	**$1,160,952**	**$1,184,171**	**$1,207,854**	**$1,232,011**
Administrative											
Management Fee		$59,331	$61,111	$62,944	$64,833	$66,778	$68,781	$70,845	$72,970	$75,159	$77,414
Management Charges		$59,331	$61,111	$62,944	$64,833	$66,778	$68,781	$70,845	$72,970	$75,159	$77,414
Marketing Expense		$672	$692	$713	$734	$756	$779	$802	$826	$851	$877
Legal		$672	$692	$713	$734	$756	$779	$802	$826	$851	$877
Audit & Accounting		$10,079	$10,382	$10,693	$11,014	$11,344	$11,685	$12,035	$12,396	$12,768	$13,151
Admin Other		$2,016	$2,076	$2,139	$2,203	$2,269	$2,337	$2,407	$2,479	$2,554	$2,630
Total Administrative		$132,102	$136,065	$140,147	$144,351	$148,682	$153,142	$157,736	$162,468	$167,342	$172,363
Supportive Services		$24,110	$24,833	$25,578	$26,345	$27,136	$27,950	$28,788	$29,652	$30,542	$31,458
Utilities											
Fuel Oil		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Electric		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Gas		$81,925	$84,383	$86,914	$89,522	$92,207	$94,974	$97,823	$100,758	$103,780	$106,894
Water / Sewer		$16,127	$16,611	$17,109	$17,622	$18,151	$18,696	$19,256	$19,834	$20,429	$21,042
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Utilities		$98,052	$100,994	$104,024	$107,144	$110,359	$113,669	$117,079	$120,592	$124,210	$127,936

Maintenance		**Year 11**	**Year 12**	**Year 13**	**Year 14**	**Year 15**	**Year 16**	**Year 17**	**Year 18**	**Year 19**	**Year 20**
Janitorial		$8,063	$8,305	$8,555	$8,811	$9,076	$9,348	$9,628	$9,917	$10,215	$10,521
Exterminating		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Trash Removal		$16,127	$16,611	$17,109	$17,622	$18,151	$18,696	$19,256	$19,834	$20,429	$21,042
Security		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Grounds		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Maintenance		$26,878	$27,685	$28,515	$29,371	$30,252	$31,159	$32,094	$33,057	$34,049	$35,070
Elevator, HVAC, pool contracts		$47,037	$48,448	$49,902	$51,399	$52,941	$54,529	$56,165	$57,850	$59,585	$61,373
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Maintenance		$98,106	$101,049	$104,081	$107,203	$110,419	$113,732	$117,144	$120,658	$124,278	$128,006
Taxes & Insurance											
Real Estate Taxes or PILOT		$103,615	$105,687	$107,801	$109,957	$112,156	$114,399	$116,687	$119,021	$121,401	$123,829
Payroll Taxes / Fidelity Bond / Workers Comp / Health Ins.		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Insurance (property, liability)		$73,915	$76,133	$78,417	$80,769	$83,192	$85,688	$88,259	$90,907	$93,634	$96,443
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Taxes & Insurance		$177,530	$181,820	$186,217	$190,726	$195,348	$200,087	$204,946	$209,927	$215,035	$220,272
Replacement Reserves		$29,029	$29,899	$30,796	$31,720	$32,672	$33,652	$34,662	$35,702	$36,773	$37,876
Operating Reserves		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Expenses		**$558,928**	**$574,660**	**$590,843**	**$607,490**	**$624,615**	**$642,232**	**$660,355**	**$678,999**	**$698,178**	**$717,910**
Net Operating Income		**$471,964**	**$476,850**	**$481,697**	**$486,501**	**$491,255**	**$495,956**	**$500,597**	**$505,172**	**$509,676**	**$514,101**
Debt Service											
Maine Housing Interest Bearing		$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500
Second Lien		$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Debt Service (Must Pay)		$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747
Cash Flow (after Must Pay Debt)		$95,217	$100,103	$104,950	$109,754	$114,508	$119,209	$123,850	$128,425	$132,929	$137,354
Debt Service Coverage Ratio		**1.25**	**1.27**	**1.28**	**1.29**	**1.30**	**1.32**	**1.33**	**1.34**	**1.35**	**1.36**
Cash Flow Debt Payments											**Cash Flow D**
City of Portland	25.0%	$23,804	$25,026	$26,238	$27,438	$28,627	$29,802	$30,962	$32,106	$33,232	$34,339
Developer Fee Loan	0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Cash Flow Retained by Project		**$71,413**	**$75,077**	**$78,713**	**$82,315**	**$85,881**	**$89,407**	**$92,887**	**$96,319**	**$99,697**	**$103,016**
Retained Cash Flow %	13%										Retained Cas

		Year 21	Year 22	Year 23	Year 24	Year 25	Year 26	Year 27	Year 28	Year 29	Year 30
Income											
Sch. Gross Income - Residential		$1,222,626	$1,247,078	$1,272,020	$1,297,460	$1,323,409	$1,349,877	$1,376,875	$1,404,413	$1,432,501	$1,461,151
Vacancy Loss	0.0%	($61,131)	($62,354)	($63,601)	($64,873)	($66,170)	($67,494)	($68,844)	($70,221)	($71,625)	($73,058)
Other income (laundry)		$428	$437	$445	$454	$463	$472	$482	$492	$501	$511
TIF	25%	$31,576	$32,208	$32,852	$33,509	$34,179	$34,863	$35,560	$36,271	$36,997	$37,737
Effective Gross Income		**$1,193,499**	**$1,217,369**	**$1,241,716**	**$1,266,550**	**$1,291,881**	**$1,317,719**	**$1,344,073**	**$1,370,955**	**$1,398,374**	**$1,426,341**
Administrative											
Management Fee		$79,736	$82,128	$84,592	$87,130	$89,744	$92,436	$95,209	$98,065	$101,007	$104,038
Management Charges		$79,736	$82,128	$84,592	$87,130	$89,744	$92,436	$95,209	$98,065	$101,007	$104,038
Marketing Expense		$903	$930	$958	$987	$1,016	$1,047	$1,078	$1,111	$1,144	$1,178
Legal		$903	$930	$958	$987	$1,016	$1,047	$1,078	$1,111	$1,144	$1,178
Audit & Accounting		$13,546	$13,952	$14,371	$14,802	$15,246	$15,703	$16,174	$16,660	$17,159	$17,674
Admin Other		$2,709	$2,790	$2,874	$2,960	$3,049	$3,141	$3,235	$3,332	$3,432	$3,535
Total Administrative		$177,534	$182,860	$188,345	$193,996	$199,816	$205,810	$211,984	$218,344	$224,894	$231,641
Supportive Services		$32,402	$33,374	$34,375	$35,406	$36,468	$37,562	$38,689	$39,850	$41,045	$42,277
Utilities											
Fuel Oil		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Electric		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Gas		$110,101	$113,404	$116,806	$120,310	$123,919	$127,637	$131,466	$135,410	$139,472	$143,656
Water / Sewer		$21,673	$22,324	$22,993	$23,683	$24,394	$25,125	$25,879	$26,655	$27,455	$28,279
Other		$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Utilities		$131,774	$135,727	$139,799	$143,993	$148,313	$152,762	$157,345	$162,065	$166,927	$171,935

Maintenance	Year 21	Year 22	Year 23	Year 24	Year 25	Year 26	Year 27	Year 28	Year 29	Year 30
Janitorial	$10,837	$11,162	$11,497	$11,842	$12,197	$12,563	$12,940	$13,328	$13,728	$14,139
Exterminating	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Trash Removal	$21,673	$22,324	$22,993	$23,683	$24,394	$25,125	$25,879	$26,655	$27,455	$28,279
Security	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Grounds	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Maintenance	$36,122	$37,206	$38,322	$39,472	$40,656	$41,876	$43,132	$44,426	$45,759	$47,131
Elevator, HVAC, pool contracts	$63,214	$65,110	$67,064	$69,076	$71,148	$73,282	$75,481	$77,745	$80,077	$82,480
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Maintenance	$131,846	$135,802	$139,876	$144,072	$148,394	$152,846	$157,431	$162,154	$167,019	$172,029
Taxes & Insurance										
Real Estate Taxes or PILOT	$126,306	$128,832	$131,408	$134,036	$136,717	$139,452	$142,241	$145,085	$147,987	$150,947
Payroll Taxes / Fidelity Bond / Workers Comp / Health Ins.	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Insurance (property, liability)	$99,336	$102,316	$105,386	$108,547	$111,804	$115,158	$118,613	$122,171	$125,836	$129,611
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Taxes & Insurance	$225,642	$231,148	$236,794	$242,584	$248,521	$254,609	$260,853	$267,256	$273,823	$280,558
Replacement Reserves	$39,012	$40,182	$41,388	$42,629	$43,908	$45,226	$46,582	$47,980	$49,419	$50,902
Operating Reserves	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Expenses	**$738,209**	**$759,092**	**$780,576**	**$802,680**	**$825,420**	**$848,815**	**$872,885**	**$897,649**	**$923,128**	**$949,342**
Net Operating Income	**$455,290**	**$458,277**	**$461,140**	**$463,871**	**$466,462**	**$468,904**	**$471,188**	**$473,306**	**$475,246**	**$477,000**
Debt Service										
Maine Housing Interest Bearing	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500	$298,500
Second Lien	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247	$78,247
Other	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Debt Service (Must Pay)	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747	$376,747
Cash Flow (after Must Pay Debt)	$78,543	$81,530	$84,393	$87,124	$89,715	$92,157	$94,441	$96,559	$98,499	$100,253
Debt Service Coverage Ratio	**1.21**	**1.22**	**1.22**	**1.23**	**1.24**	**1.24**	**1.25**	**1.26**	**1.26**	**1.27**
ebt Payments										
City of Portland 25.0%	$19,636	$20,382	$21,098	$21,781	$22,429	$23,039	$23,610	$24,140	$24,625	$25,063
Developer Fee Loan 0.0%	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Cash Flow Retained by Project	**$58,907**	**$61,147**	**$63,294**	**$65,343**	**$67,286**	**$69,118**	**$70,831**	**$72,419**	**$73,874**	**$75,189**
;h Flow % 8%										

City of Portland - TIF Model
197-207 Oxford Street
CBL: 26-B-4
OAV: $680,000 as of March 31, 2024
7/10/2024

City of Portland- TIF Projection Table - 197-207 Oxford Street									
TIF Year	Tax Year-April 1	Increased Assessed Value Real Prop.	% of Value Captured	Captured Valuation	Projected Mill Rate	Total Projected New Taxes Captured	Captured Revenue to Business Project Account	Captured Revenue to Municipal Project Account	City Non-Captured General Fund Revenues
1	2024	$5,220,000	75.00%	$3,915,000	14.70	$57,543	$57,543	$0	$19,181
2	2025	$5,220,000	75.00%	$3,915,000	14.99	$58,694	$58,694	$0	$19,565
3	2026	$5,220,000	75.00%	$3,915,000	15.29	$59,868	$59,868	$0	$19,956
4	2027	$5,220,000	75.00%	$3,915,000	15.60	$61,066	$61,066	$0	$20,355
5	2028	$5,220,000	75.00%	$3,915,000	15.91	$62,287	$62,287	$0	$20,762
6	2029	$5,220,000	75.00%	$3,915,000	16.23	$63,533	$63,533	$0	$21,178
7	2030	$5,220,000	75.00%	$3,915,000	16.55	$64,803	$64,803	$0	$21,601
8	2031	$5,220,000	75.00%	$3,915,000	16.88	$66,099	$66,099	$0	$22,033
9	2032	$5,220,000	75.00%	$3,915,000	17.22	$67,421	$67,421	$0	$22,474
10	2033	$5,220,000	75.00%	$3,915,000	17.57	$68,770	$68,770	$0	$22,923
11	2034	$5,220,000	75.00%	$3,915,000	17.92	$70,145	$70,145	$0	$23,382
12	2035	$5,220,000	75.00%	$3,915,000	18.28	$71,548	$71,548	$0	$23,849
13	2036	$5,220,000	75.00%	$3,915,000	18.64	$72,979	$72,979	$0	$24,326
14	2037	$5,220,000	75.00%	$3,915,000	19.01	$74,439	$74,439	$0	$24,813
15	2038	$5,220,000	75.00%	$3,915,000	19.39	$75,927	$75,927	$0	$25,309
16	2039	$5,220,000	75.00%	$3,915,000	19.78	$77,446	$77,446	$0	$25,815
17	2040	$5,220,000	75.00%	$3,915,000	20.18	$78,995	$78,995	$0	$26,332
18	2041	$5,220,000	75.00%	$3,915,000	20.58	$80,575	$80,575	$0	$26,858
19	2042	$5,220,000	75.00%	$3,915,000	20.99	$82,186	$82,186	$0	$27,395
20	2043	$5,220,000	75.00%	$3,915,000	21.41	$83,830	$83,830	$0	$27,943
21	2044	$5,220,000	25.00%	$1,305,000	21.84	$28,502	$28,502	$0	$85,507
22	2045	$5,220,000	25.00%	$1,305,000	22.28	$29,072	$29,072	$0	$87,217
23	2046	$5,220,000	25.00%	$1,305,000	22.72	$29,654	$29,654	$0	$88,961
24	2047	$5,220,000	25.00%	$1,305,000	23.18	$30,247	$30,247	$0	$90,740
25	2048	$5,220,000	25.00%	$1,305,000	23.64	$30,852	$30,852	$0	$92,555
26	2049	$5,220,000	25.00%	$1,305,000	24.11	$31,469	$31,469	$0	$94,406
27	2050	$5,220,000	25.00%	$1,305,000	24.60	$32,098	$32,098	$0	$96,294
28	2051	$5,220,000	25.00%	$1,305,000	25.09	$32,740	$32,740	$0	$98,220
29	2052	$5,220,000	25.00%	$1,305,000	25.59	$33,395	$33,395	$0	$100,185
30	2053	$5,220,000	25.00%	$1,305,000	26.10	$34,063	$34,063	$0	$102,188
30 Year TIF Total		**$156,600,000**		**$91,350,000**		**$1,710,245**	**$1,710,245**	**$0**	**$1,402,324**
30 Year TIF Average		**$5,220,000**		**$3,045,000**		**$57,008**	**$57,008**		**$46,744**

7-10-2024 TIF Model 75% 20 Years 25% 10 years.xlsx

197-207 Oxford Street
026 B004001
OAV as of 3/31/2024: $680,000

Tax S ifts-Avoided For ula I pacts fro S eltering of Valuation City of Portland- TIF Model

75% S eltered 20 years and 25% 10 Years to Developer Project Account - Re ainder to City General Fund

				Avoided For ula I pacts fro S eltering of Valuation			
TIF Year	Tax Year-April 1	Total Added Valuation	S eltered Valuation	Avoided Loss of State Aid to for ducation	Avoided Loss of State Municipal Revenue S aring	Avoided Increase in County Tax	Total Avoided I pacts
1	2024	$5,220,000	$3,915,000	$0	$5,472	$1,728	$7,200
2	2025	$5,220,000	$3,915,000	$0	$5,472	$1,729	$7,201
3	2026	$5,220,000	$3,915,000	$0	$5,472	$1,729	$7,201
4	2027	$5,220,000	$3,915,000	$9,096	$5,472	$1,729	$16,297
5	2028	$5,220,000	$3,915,000	$18,192	$5,472	$1,729	$25,392
6	2029	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
7	2030	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
8	2031	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
9	2032	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
10	2033	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
11	2034	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
12	2035	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
13	2036	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
14	2037	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
15	2038	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
16	2039	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
17	2040	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
18	2041	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
19	2042	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
20	2043	$5,220,000	$3,915,000	$27,288	$5,472	$1,729	$34,488
21	2044	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
22	2045	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
23	2046	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
24	2047	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
25	2048	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
26	2049	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
27	2050	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
28	2051	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
29	2052	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
30	2053	$5,220,000	$1,305,000	$9,096	$1,824	$576	$11,496
30 Year TIF Total		**$156,600,000**	**$91,350,000**	**$527,559**	**$127,679**	**$40,338**	**$695,576**
30 Year TIF Average		**$5,220,000**	**$3,045,000**	**$17,585**	**$4,256**	**$1,345**	**$23,186**

SPACE AND BULK STANDARDS		
ZONING: R-6 (RESIDENTIAL)	REQUIRED	PROPOSED
MINIMUM LOT SIZE	2,000 SF	15,224 SF
MINIMUM LOT AREA PER DWELLING UNIT	290 SF/UNIT[1]	317 SF/UNIT[1]
ALLOWABLE DWELLING UNITS BASED 2.5X DENSITY BONUS[1]	52 UNITS	48 UNITS
MINIMUM STREET FRONTAGE	20 FT	358.69 FT
MINIMUM LOT WIDTH	20 FT	224 FT
MINIMUM FRONT SETBACK	5 FT	8.09 FT
MINIMUM REAR SETBACK	10 FT	10.22 FT
MINIMUM SIDE SETBACK ON SIDE STREET; CEDAR STREET[2,3]:	NONE	5.86 FT
MINIMUM SIDE SETBACK ON SIDE STREETS; CHESTNUT STREET:	NONE	9.22 FT
MINIMUM SIDE YARD STEPBACK ABOVE 35 FT	NONE	9.22 FT
MINIMUM REAR YARD STEPBACK ABOVE 35 FT	15 FT	15.2 FT
MAXIMUM STRUCTURE HEIGHT (MAX. PER BAYSIDE HEIGHT OVERLAY MAP)	55 FT	< 55 FT
MAXIMUM LOT COVERAGE	60%	60%
MINIMUM LANDSCAPED OPEN SPACE RATIO	20%	20%
MAXIMUM LOT COVERAGE:	80%	80%

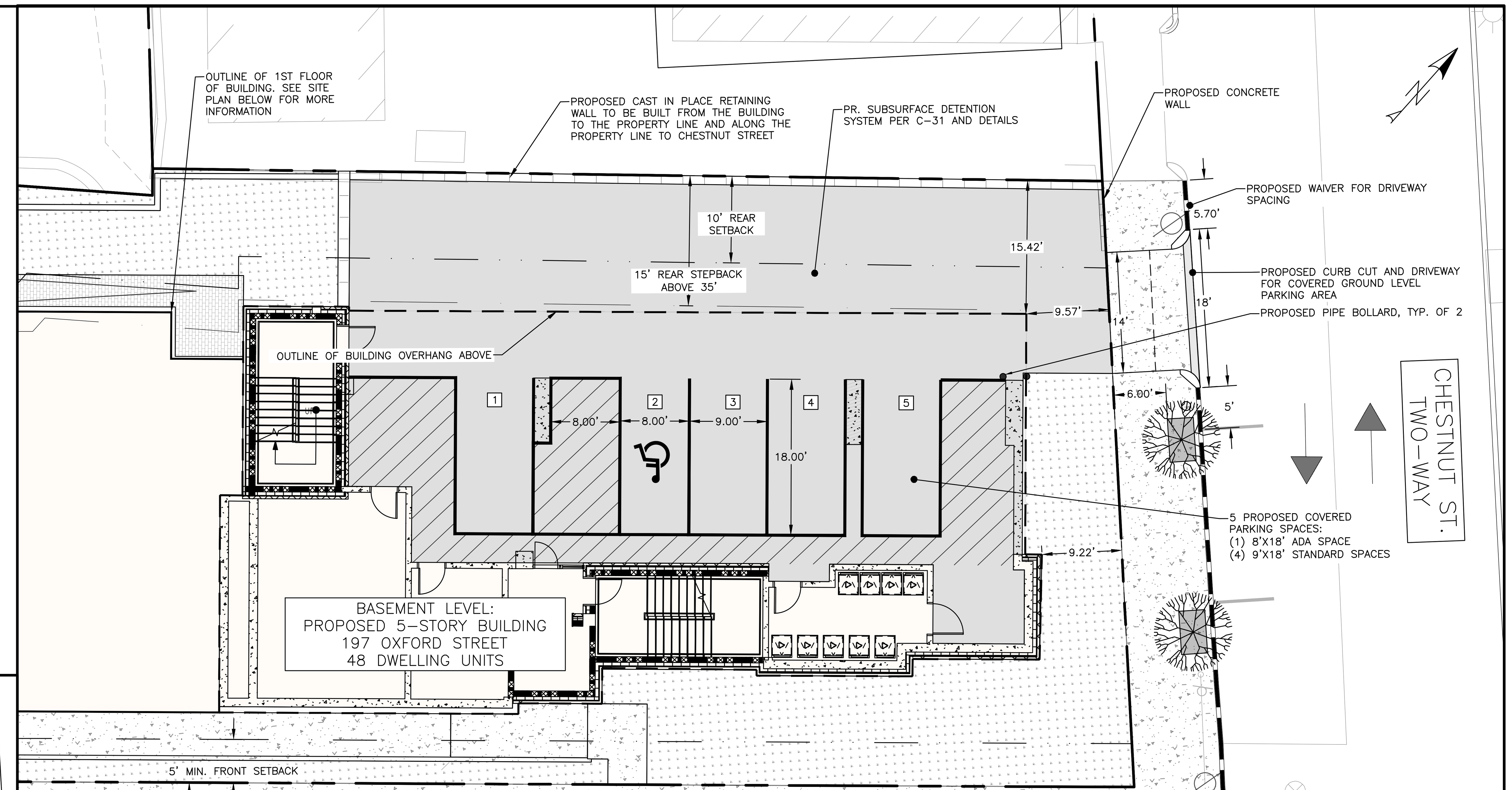
[1] SECTION 18.2.4, TABLE 18-C ALLOWS FOR 2.5 TIMES THE DENSITY PERMITTED ON THE LOT.

[2] SETBACK DOES NOT APPLY ON SIDE STREETS. STEP BACK APPLIES FOR HEIGHTS ABOVE 35 FT WHEN PROPERTY LINE ABUTS A RESIDENTIAL ZONE

[3] CITY OF PORTLAND LAND USE CODE TABLE 7-A, FOOTNOTE 10 STATES THAT THE SIDE SETBACK "MAY BE REDUCED TO ZERO, PROVIDED THAT THE CUMULATIVE SIDE YARDS ARE NOT LESS THAN 10 FT..."

GENERAL NOTES:

1. ALL BRICK SIDEWALK AND VERTICAL GRANITE CURB TO BE REPLACED SHALL BE REBUILT TO CITY OF PORTLAND STANDARD.
2. ALL PAVEMENT STRIPING AND MARKINGS SHALL COMPLY TO CITY OF PORTLAND STANDARDS.
3. ANY ASPHALT TO BE REMOVED SHALL BE STRIPPED AND PROPERLY DISPOSED OF OFFSITE.
4. CURB TO BE REMOVED, STOCKPILED AND RESET IN ACCORDANCE WITH DETAIL. BROKEN CURB SHALL BE PROPERLY DISPOSED OF AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
5. ALL RAMPS TO CONFORM TO ADA GUIDELINES. SLOPE SHALL NOT EXCEED 1 INCH PER FOOT.
6. ALL SITE SIGNAGE TO COMPLY WITH MUTCD STANDARDS. CONTRACTOR TO COORDINATE AND INSTALL.
7. FOLLOWING COMPLETION OF CONSTRUCTION, THE OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF DRIVEWAYS, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL.
8. CONTRACTOR SHALL VERIFY BOTTOM AND TOP OF CURB ELEVATIONS ALONG BUILDING FRONTAGES PRIOR TO CONSTRUCTION OF THE FOUNDATIONS. CONTACT ENGINEER PRIOR TO CONSTRUCTION IF DISCREPANCIES ARE FOUND.



BASEMENT PARKING INSET SCALE: 1:10

SCALE: 1"=10'

PERMIT LEVEL NOT ISSUED FOR CONSTRUCTION

ISSUED FOR	BY / DATE
JOINT MAJOR SITE PLAN APPLICATION	SJL 4/11/24

DRAWING NAME: PHASE 1 – SITE PLAN

PROJECT NAME: PHASE 1 – PHASED OXFORD STREET REDEVELOPMENT

CLIENT: AVESTA HOUSING, 307 CUMBERLAND AVE, PORTLAND, ME 04101

ACORN ENGINEERING, INC.

ACORN ENGINEERING, INC. PO BOX 3372, PORTLAND, MAINE 04104 (207) 775-2655

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM ACORN ENGINEERING, INC. ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO ACORN ENGINEERING, INC.

JN:	1212.1
SCALE:	AS NOTED
DESIGNED BY:	SJL
DRAWN BY:	DNM
CHECKED BY:	SJL

STATE OF MAINE SAMUEL J. LEBEL 16506 LICENSED PROFESSIONAL ENGINEER

DRAWING NO. C-11

AVESTA OXFORD

PORTLAND, MAINE

TOTAL SQ FT CALCULATIONS FOR BUILDING

BUILDING GROSS TOTAL	43,748.18 SQ FT
HOUSING FIRST GROSS TOTAL	23,825.78 SQ FT
AFFORDABLE HOUSING GROSS TOTAL	19,922.40 SQ FT

TOTAL UNIT COUNTS FOR BUILDING

TOTAL BUILDING UNIT COUNT	48 UNITS
HOUSING FIRST	TWENTY-EIGHT (28) UNITS [(28) 0-BDRM]
AFFORDABLE HOUSING	TWENTY (20) UNITS [(3) 0-BDRM + (17) 1-BDRM]

BUILDING OWNER:	ARCHITECT:	CONSTRUCTION MANAGER:	STRUCTURAL ENGINEER:	CIVIL ENGINEER / LANDSCAPE ARCHITECT:	MECHANICAL / PLUMBING ENGINEER:	ELECTRICAL ENGINEER:
	CWS ARCHITECTS ARCHITECTURE | INTERIOR DESIGN			ACORN ENGINEERING, INC		
AVESTA	CWS ARCHITECTURE + INTERIOR DESIGN 264 US ROUTE 1, BOX 6, SUITE 100-2A SCARBOROUGH, MAINE 04074	TBD	TBD	ACORN ENGINEERING 500 WASHINGTON AVE SUITE 202 PORTLAND, ME 04103 TEL: (207) 775-2655	BENNETT (PRELIMINARY DESIGN)	BENNETT (PRELIMINARY DESIGN)

C:\Users\Bhen Reed\Documents\23039_Avesta Oxford St_ R23_CENTRAL_breedRCBPW.rvt

CWS
ARCHITECTURE + INTERIOR DESIGN

DESIGNER: CWS ARCHITECTURE + INTERIOR DESIGN
264 US ROUTE ONE, SUITE 100-2A
SCARBOROUGH, ME 04074
207 774 4441
CWSARCH.COM

OWNER: AVESTA
OWNER ADDRESS

PROJECT: AVESTA OXFORD
PROJECT ADDRESS

DRAWING: COVER PAGE
CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
CP

SCALE:
DATE: APRIL, 8 2024

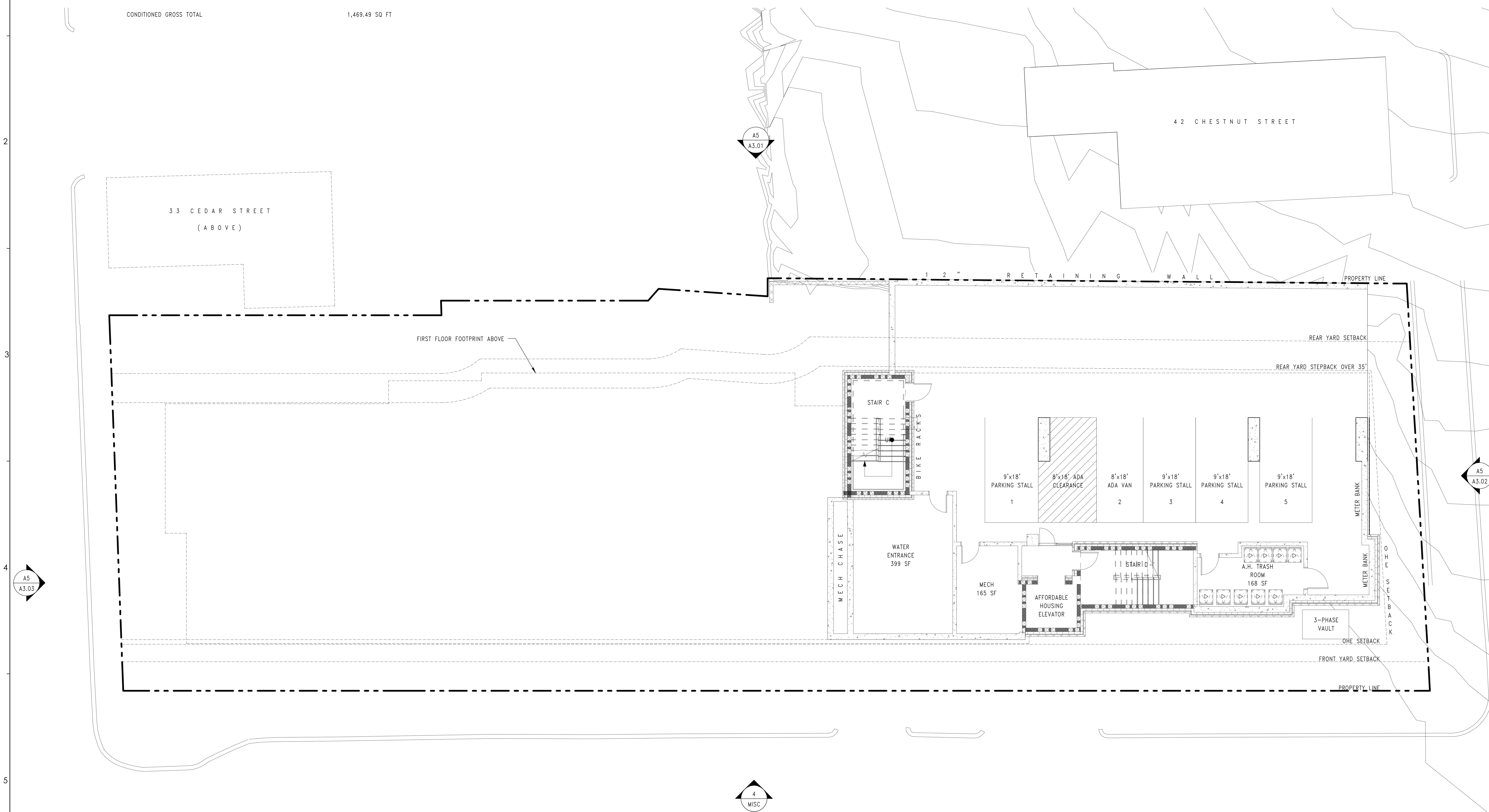
MUNICIPAL SUBMISSION

BASEMENT PARKING LEVEL

TOTAL PARKING STALLS — FIVE (5) (INCLUDES 1 ADA VAN STALL)

SQ FT CALCULATIONS

CONDITIONED GROSS TOTAL — 1,469.49 SQ FT



A5 **BASEMENT LEVEL PARKING**

REFERENCED FROM: A3.01 SCALE: 1/8" = 1'-0"

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CWS ARCHITECTURE + INTERIOR DESIGN

DESIGNER: CWS ARCHITECTURE + INTERIOR DESIGN, 264 US ROUTE ONE, SUITE 100-2A, SCARBOROUGH, ME 04074, 207 774 4441, CWSARCH.COM

OWNER: AVESTA — OWNER ADDRESS

PROJECT: AVESTA OXFORD — PROJECT ADDRESS

DRAWING: BASEMENT PARKING LEVEL — CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER

A1.00

SCALE:	1/8" = 1'-0"
DATE:	APRIL, 8 2024

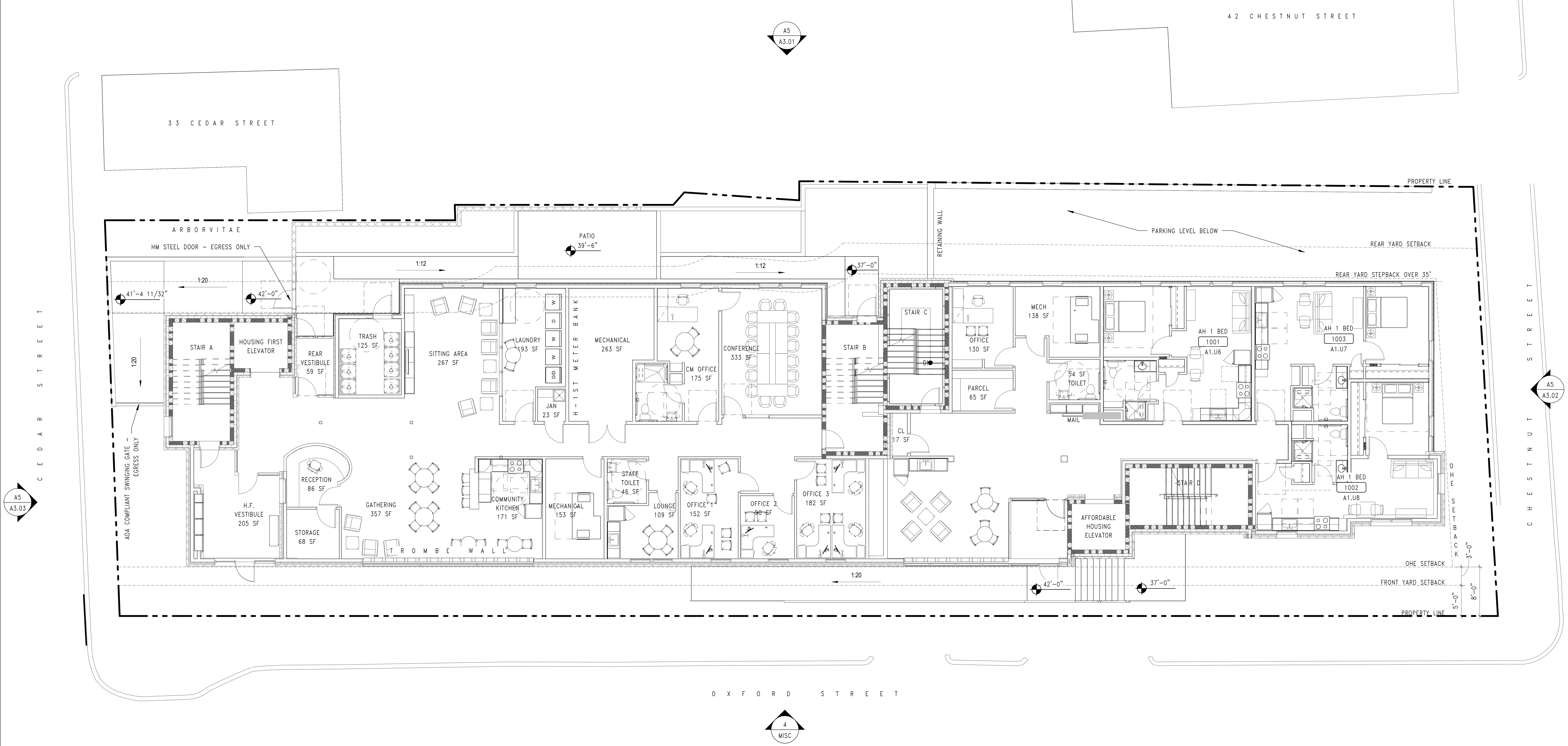
MUNICIPAL SUBMISSION

FIRST FLOOR SQ FT CALCULATIONS

FIRST FLOOR GROSS TOTAL	8,991.25 SQ FT
HOUSING FIRST GROSS TOTAL	5,059.82 SQ FT
AFFORDABLE HOUSING GROSS TOTAL	3,931.43 SQ FT

FIRST FLOOR UNIT COUNTS

HOUSING FIRST	0 UNITS
AFFORDABLE HOUSING	THREE (3) 1-BDRM UNITS
FIRST FLOOR TOTAL UNIT COUNT	3 UNITS



A5 FIRST FLOOR

SCALE: 1/8" = 1'-0"

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CWS ARCHITECTURE + INTERIOR DESIGN

DESIGNER: CWS ARCHITECTURE + INTERIOR DESIGN, 264 US ROUTE ONE, SUITE 100-2A, SCARBOROUGH, ME 04074, 207 774 4441, CWSARCH.COM

OWNER: AVESTA — OWNER ADDRESS

PROJECT: AVESTA OXFORD — PROJECT ADDRESS

DRAWING: FIRST FLOOR PLAN — CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER

A1.10

SCALE: 1/8" = 1'-0"

DATE: APRIL, 8 2024

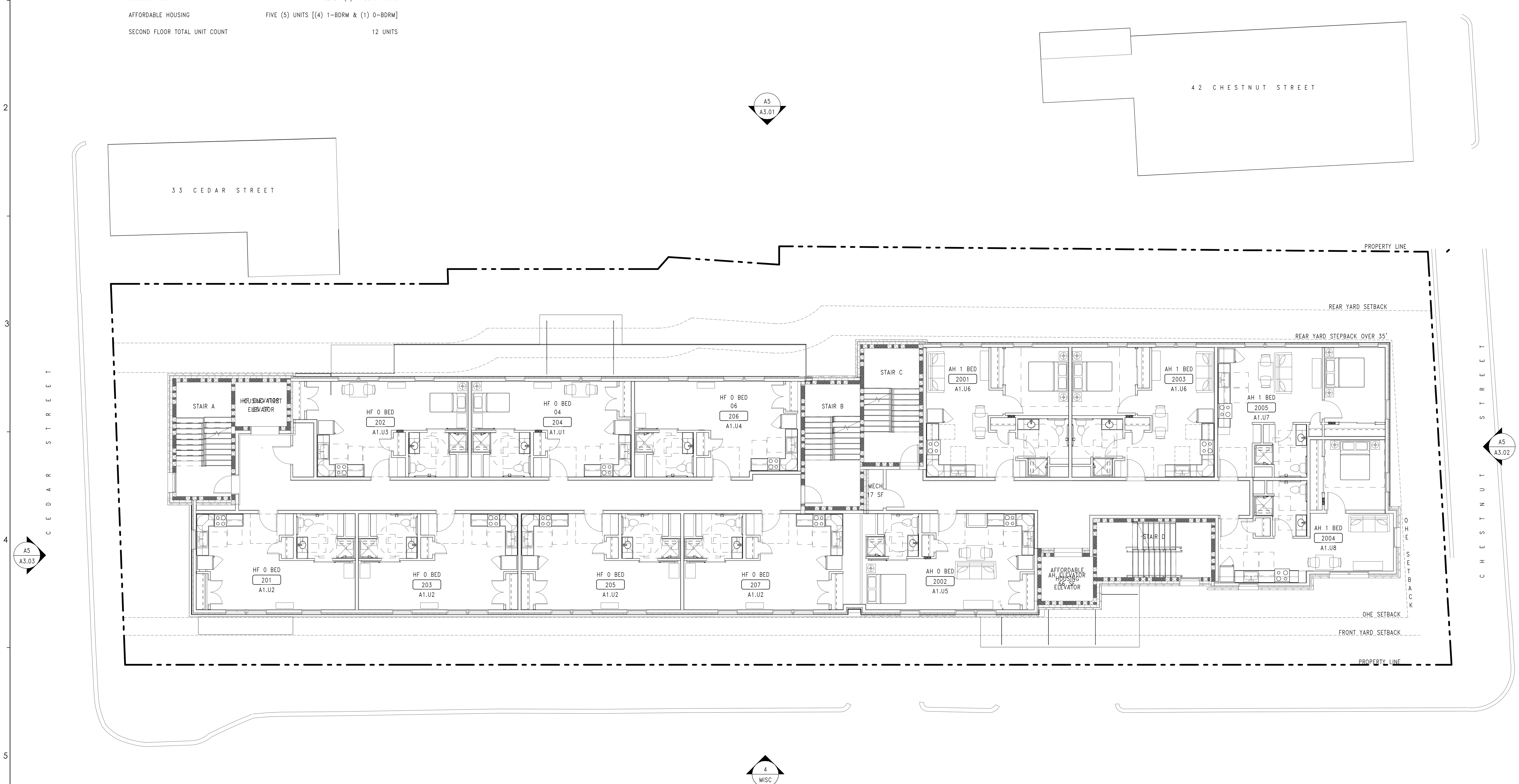
MUNICIPAL SUBMISSION

SECOND FLOOR SQ FT CALCULATIONS

SECOND FLOOR GROSS TOTAL	8,623.05 SQ FT
HOUSING FIRST GROSS TOTAL	4,691.49 SQ FT
AFFORDABLE HOUSING GROSS TOTAL	3,931.56 SQ FT

SECOND FLOOR UNIT COUNTS

HOUSING FIRST	SEVEN (7) 0-BDRM UNITS
AFFORDABLE HOUSING	FIVE (5) UNITS [(4) 1-BDRM & (1) 0-BDRM]
SECOND FLOOR TOTAL UNIT COUNT	12 UNITS



1 **SECOND FLOOR**
REFERENCED FROM: A3.01 SCALE: 1/8" = 1'-0"

CWS
ARCHITECTURE + INTERIOR DESIGN

DESIGNER
CWS ARCHITECTURE + INTERIOR DESIGN
264 US ROUTE ONE, SUITE 100-2A
SCARBOROUGH, ME 04074
207 774 4441
CWSARCH.COM

OWNER
AVESTA
OWNER ADDRESS

PROJECT
AVESTA OXFORD
PROJECT ADDRESS

DRAWING
SECOND FLOOR PLAN
CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
A1.20

SCALE: 1/8" = 1'-0"
DATE: APRIL, 8 2024

MUNICIPAL SUBMISSION

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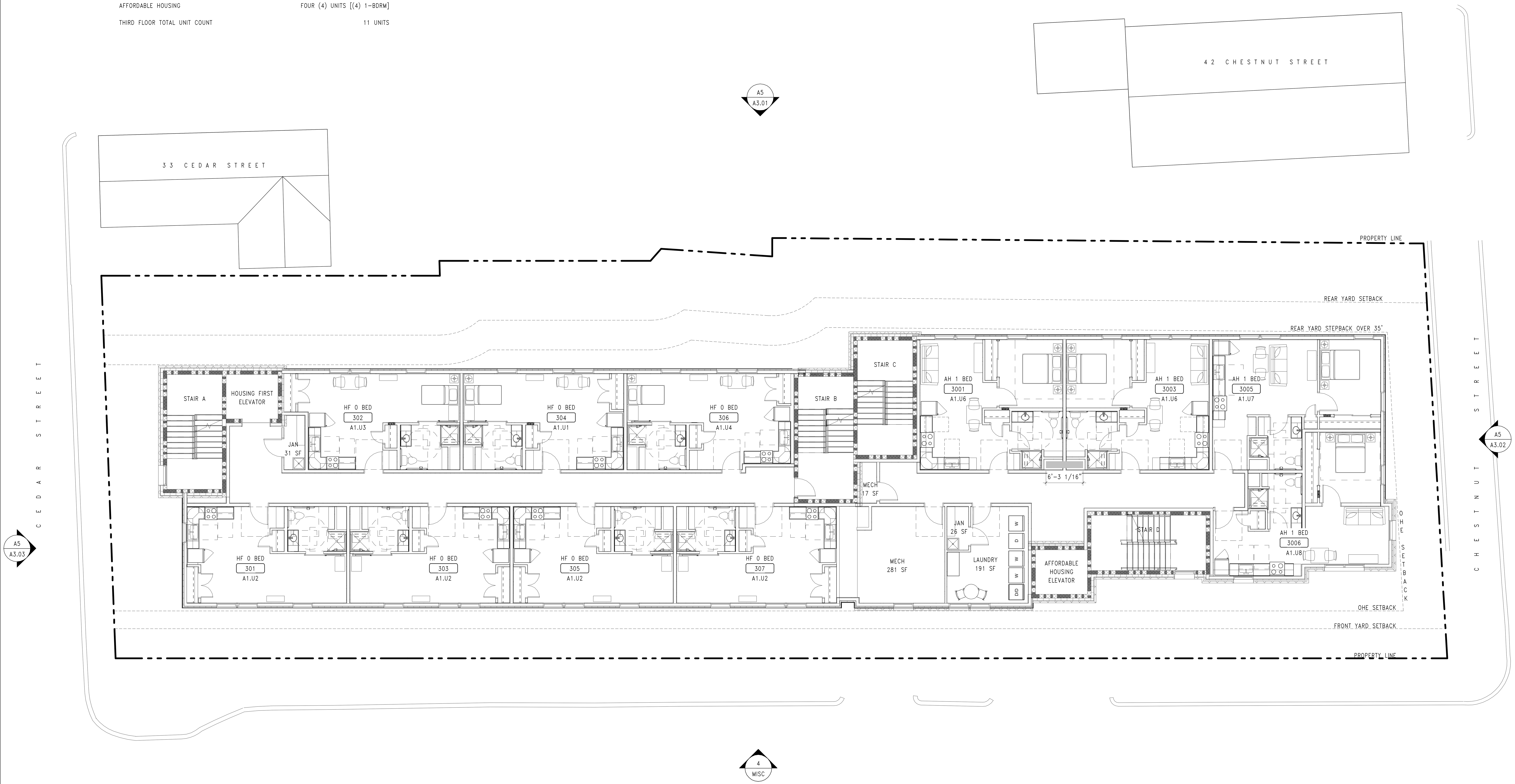
THIRD FLOOR SQ FT CALCULATIONS

THIRD FLOOR GROSS TOTAL	8,623.05 SQ FT
HOUSING FIRST GROSS TOTAL	4,691.49 SQ FT
AFFORDABLE HOUSING GROSS TOTAL	3,931.56 SQ FT

THIRD FLOOR UNIT COUNTS

HOUSING FIRST	SEVEN (7) 0-BDRM UNITS
AFFORDABLE HOUSING	FOUR (4) UNITS [(4) 1-BDRM]
THIRD FLOOR TOTAL UNIT COUNT	11 UNITS



A5 **THIRD FLOOR**
REFERENCED FROM: A3.01 SCALE: 1/8" = 1'-0"

C:\Users\Rhen Reed\Documents\23039_Avesta Oxford St_R23_CENTRAL_breedRCBPW.rvt

CWS ARCHITECTURE + INTERIOR DESIGN

DESIGNER: CWS ARCHITECTURE + INTERIOR DESIGN, 264 US ROUTE ONE, SUITE 100-2A, SCARBOROUGH, ME 04074, 207 774 4441, CWSARCH.COM

OWNER: AVESTA — OWNER ADDRESS

PROJECT: AVESTA OXFORD — PROJECT ADDRESS

DRAWING: THIRD FLOOR PLAN — CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
A1.30

SCALE: 1/8" = 1'-0"
DATE: APRIL, 8 2024

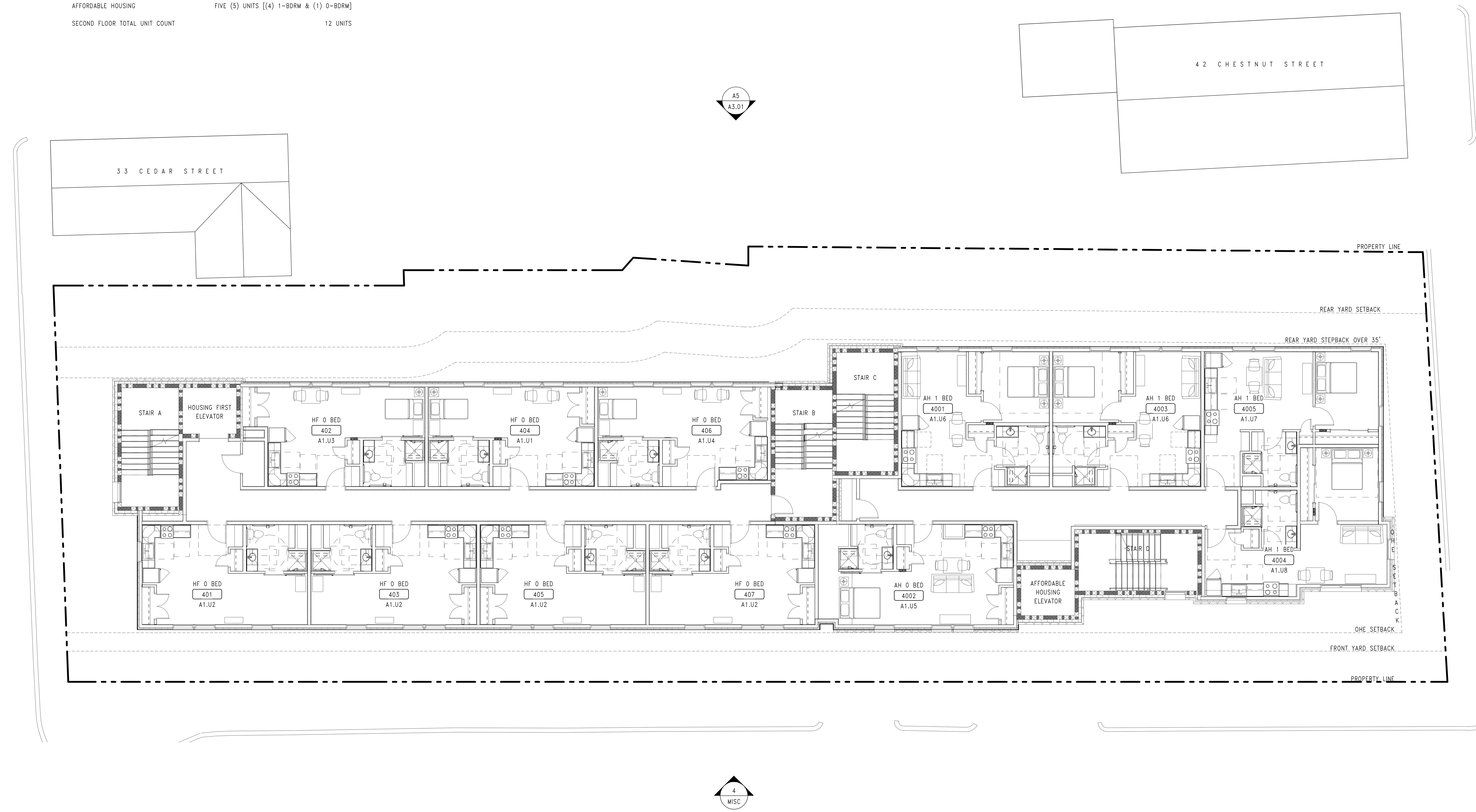
MUNICIPAL SUBMISSION

FOURTH FLOOR SQ FT CALCULATIONS

FOURTH FLOOR GROSS TOTAL	8,623.05 SQ FT
HOUSING FIRST GROSS TOTAL	4,691.49 SQ FT
AFFORDABLE HOUSING GROSS TOTAL	3,931.56 SQ FT

FOURTH FLOOR UNIT COUNTS

HOUSING FIRST	SEVEN (7) 0-BDRM UNITS
AFFORDABLE HOUSING	FIVE (5) UNITS [(4) 1-BDRM & (1) 0-BDRM]
SECOND FLOOR TOTAL UNIT COUNT	12 UNITS



A5 FOURTH FLOOR
REFERENCED FROM: A3.01 SCALE: 1/8" = 1'-0"

C:\Users\Bhen Reed\Documents\23039_Avesta Oxford St_R23_CENTRAL_breedRCBPW.rvt

CWS ARCHITECTURE + INTERIOR DESIGN

DESIGNER
CWS ARCHITECTURE + INTERIOR DESIGN
264 US ROUTE ONE, SUITE 100-2A
SCARBOROUGH, ME 04074
207.774.4441
CWSARCH.COM

OWNER
AVESTA
OWNER ADDRESS

PROJECT
AVESTA OXFORD
PROJECT ADDRESS

DRAWING
FOURTH FLOOR PLAN
CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
A1.40

SCALE: 1/8" = 1'-0"
DATE: APRIL, 8 2024

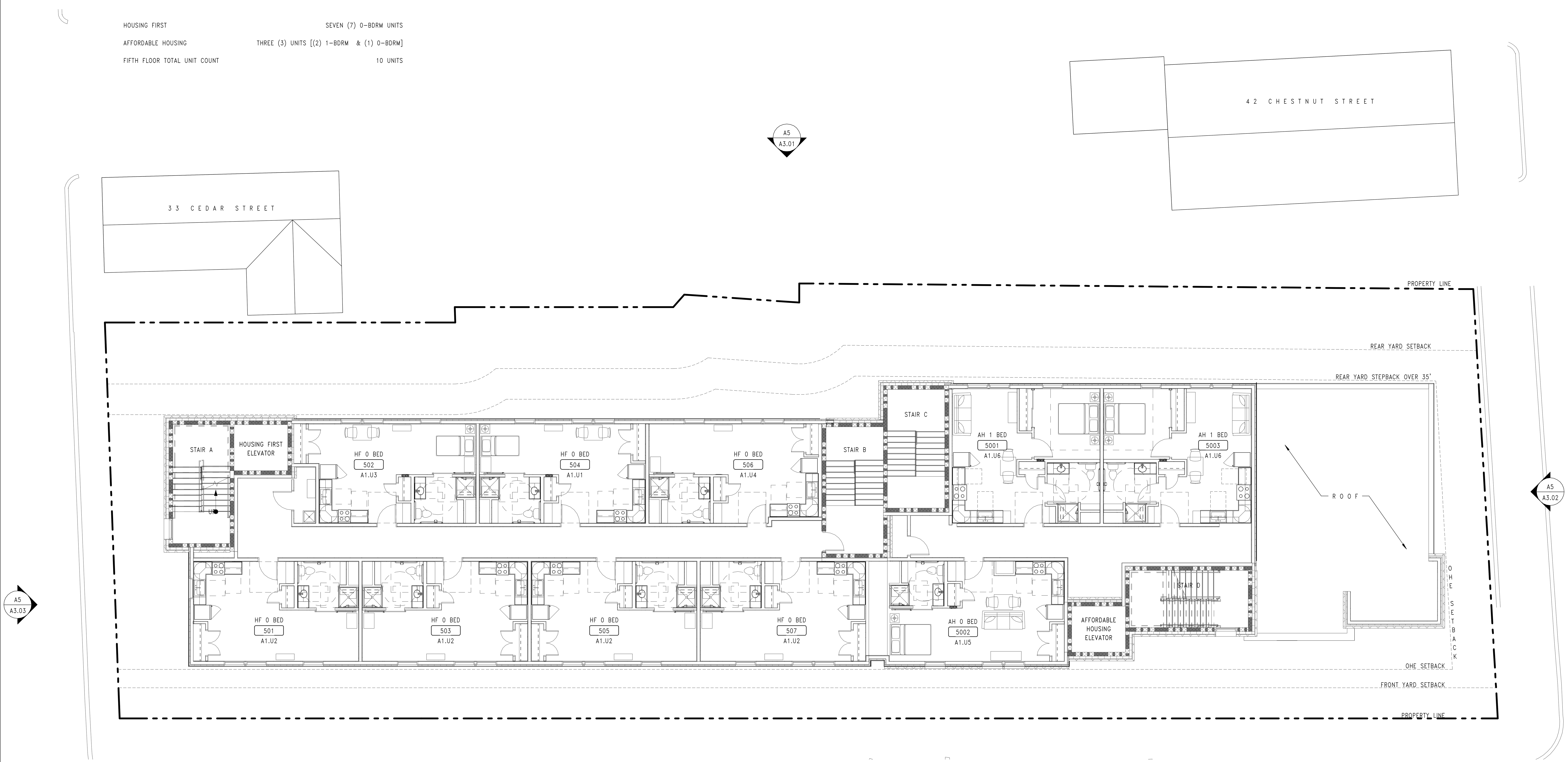
MUNICIPAL SUBMISSION

FIFTH FLOOR SQ FT CALCULATIONS

FIFTH FLOOR GROSS TOTAL	7,418.29 SQ FT
HOUSING FIRST GROSS TOTAL	4,691.49 SQ FT
AFFORDABLE HOUSING GROSS TOTAL	2,726.80 SQ FT

FIFTH FLOOR UNIT COUNTS

HOUSING FIRST	SEVEN (7) 0-BDRM UNITS
AFFORDABLE HOUSING	THREE (3) UNITS [(2) 1-BDRM & (1) 0-BDRM]
FIFTH FLOOR TOTAL UNIT COUNT	10 UNITS



CWS
ARCHITECTURE + INTERIOR DESIGN

DESIGNER

CWS ARCHITECTURE + INTERIOR DESIGN
264 US ROUTE ONE, SUITE 100-2A
SCARBOROUGH, ME 04074
207 774 4441
CWSARCH.COM

OWNER
AVESTA
OWNER ADDRESS

PROJECT
AVESTA OXFORD
PROJECT ADDRESS

DRAWING
FIFTH FLOOR PLAN
CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
A1.50

SCALE:	1/8" = 1'-0"
DATE:	APRIL, 8 2024

MUNICIPAL SUBMISSION

A5 **FIFTH FLOOR**
REFERENCED FROM: A3.01 SCALE: 1/8" = 1'-0"

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A5 **NORTH ELEVATION**
REFERENCED FROM: A1.00 SCALE: 1/8" = 1'-0"

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OWNER
AVESTA
OWNER ADDRESS

PROJECT
AVESTA OXFORD
PROJECT ADDRESS

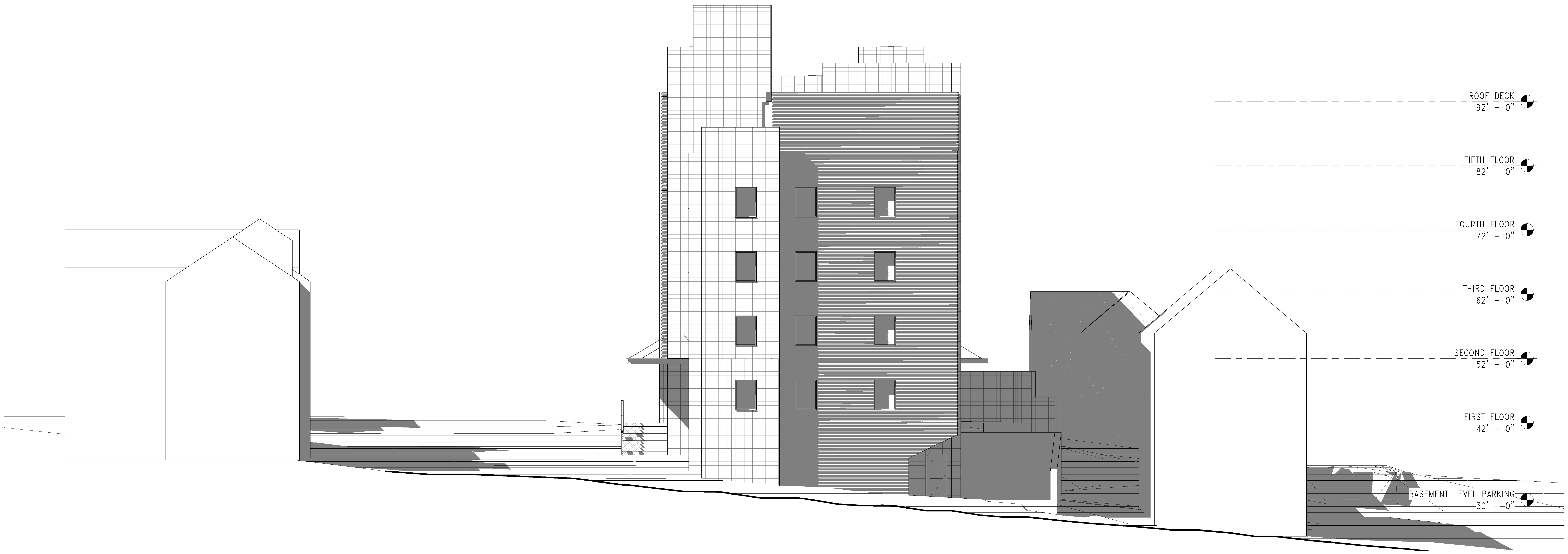
DRAWING
NORTH ELEVATION
CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
A3.01

SCALE:	1/8" = 1'-0"
DATE:	APRIL, 8 2024

MUNICIPAL SUBMISSION



A5 **EAST ELEVATION**
REFERENCED FROM: A1.00 SCALE: 1/8" = 1'-0"

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CWS
ARCHITECTURE +
INTERIOR DESIGN

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CWS ARCHITECTURE + INTERIOR DESIGN
264 US ROUTE ONE, SUITE 100-2A
SCARBOROUGH, ME 04074
207 774 4441
CWSARCH.COM

OWNER
AVESTA
OWNER ADDRESS

PROJECT
AVESTA OXFORD
PROJECT ADDRESS

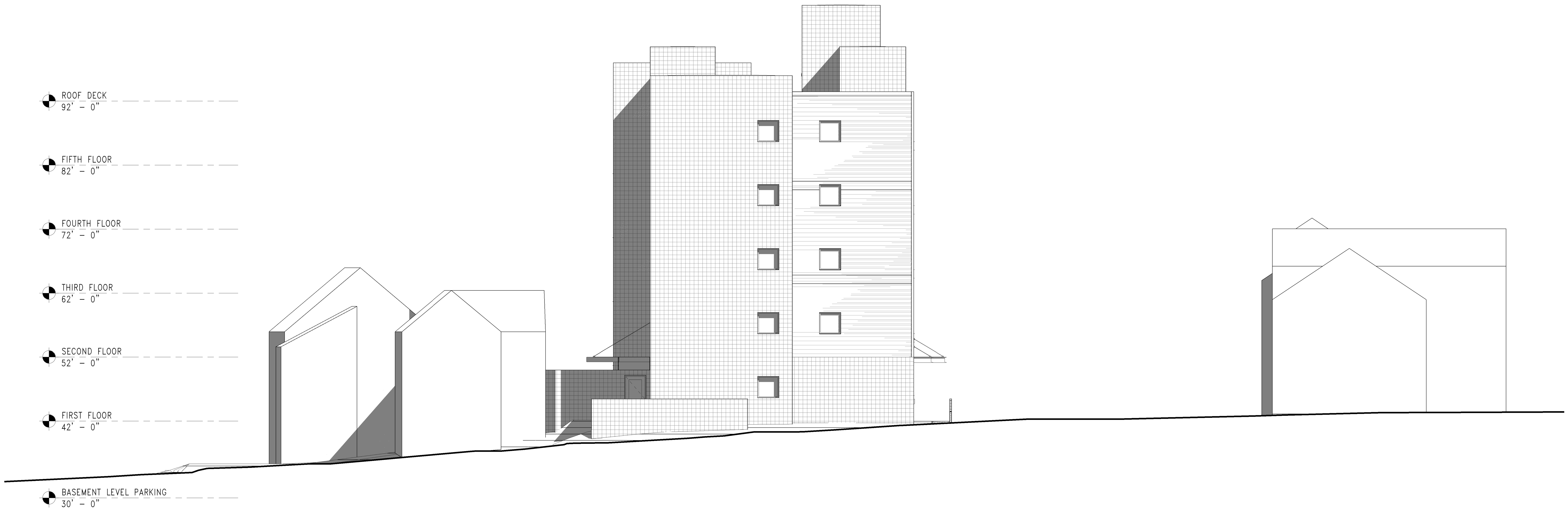
DRAWING
EAST ELEVATION
CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
A3.02

SCALE: 1/8" = 1'-0"
DATE: **APRIL, 8 2024**

MUNICIPAL SUBMISSION



A5 **WEST ELEVATION**
REFERENCED FROM: A1.00 SCALE: 1/8" = 1'-0"

CWS
ARCHITECTURE + INTERIOR DESIGN

DESIGNER
CWS ARCHITECTURE + INTERIOR DESIGN
264 US ROUTE ONE, SUITE 100-2A
SCARBOROUGH, ME 04074
207 774 4441
CWSARCH.COM

OWNER
AVESTA
OWNER ADDRESS

PROJECT
AVESTA OXFORD
PROJECT ADDRESS

DRAWING
WEST ELEVATION
CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
A3.03

SCALE: 1/8" = 1'-0"
DATE: **APRIL, 8 2024**

MUNICIPAL SUBMISSION

A5 **SOUTH ELEVATION**

REFERENCED FROM: A1.00 SCALE: 1" = 10'-0"

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CWS
ARCHITECTURE + INTERIOR DESIGN

DESIGNER
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264 US ROUTE ONE, SUITE 100-2A
SCARBOROUGH, ME 04074
207 774 4441
CWSARCH.COM

OWNER
AVESTA
OWNER ADDRESS

PROJECT
AVESTA OXFORD
PROJECT ADDRESS

DRAWING
SOUTH ELEVATION
CWS PROJECT NUMBER: 23039

REVISIONS

DRAWING NUMBER
A3.04

SCALE: 1" = 10'-0"
DATE: APRIL, 8 2024

MUNICIPAL SUBMISSION

City of portland

Lori Paulette <ljn@portlandmaine.gov>

HED Committee Public Comment - 197 & 207 Oxford Street Port Properties Special Favors

George Rheault <george.rheault@gmail.com> Mon, Jul 15, 2024 at 11:59 AM
To: edd@portlandmaine.gov
Cc: Mary Davis <mpd@portlandmaine.gov>, Mark Dion <mdion@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, April Fournier <afournier@portlandmaine.gov>, Roberto Rodríguez <rrodriguez@portlandmaine.gov>, Anna Trevorrow <atrevorrow@portlandmaine.gov>, Victoria Pelletier <vpelletier@portlandmaine.gov>, Regina Phillips <rphillips@portlandmaine.gov>, Anna Bullett <abullett@portlandmaine.gov>, Kate Sykes <ksykes@portlandmaine.gov>, Danielle West-Chuhta <dwest@portlandmaine.gov>

I urge the HED Committee to postpone ANY action with respect to Port Properties (n/k/a "Reveler Development") proposal to use non-profit partners (AVESTA - Preble Street) to escape its inclusionary zoning requirements.

Beyond the clear evasion of the inclusionary zoning regulations, this entire proposal has been sheparded and encouraged by city staff FOR YEARS without any meaningful community involvement.

IN NO OTHER NEIGHBORHOOD IN PORTLAND WOULD THIS BE TOLERATED.

Non-exhaustive list of questions pertaining to this project (really the tip of the iceberg):

- Did the voters of Portland in 2020 when the 25% IZ requirement was overwhelmingly passed via referendum understand that the city staff would be working overtime to exploit a non-obvious loophole (which is not even a loophole because the ordinance language makes no sense) and allow this kind of messed up IZ compliance?

- How much MONEY would Port Properties have to give to the City of Portland as a "payment-in-lieu" in 2026 or 2027 (fee gets paid when certificate of occupancy is about to be issued) if they were planning on doing their 2 market-rate buildings as part of this plan instead of hiding behind AVESTA/Preble Street?

- Did the City Council EVER hold a workshop or otherwise endorse this specific project or issue any kind of formal guidance to city staff or the city manager to assist a private entity to redevelop the Oxford Street Shelter campus?

- Did the District 1 City Councilor EVER hold a community meeting that included RENTERS and property owners as well as other stakeholders to discuss the use of public monies and city staff time to bring this project to fruition?

City of Portland | Permitting and Inspections
Jessica Hanscombe, *Director*

TO: Housing & Economic Development Committee
CC: Rent Board
FROM: Jessica B. Hanscombe, Director of Permitting and Inspections
DATE: July 1, 2024
RE: Quarterly Rent Control Report- Q2-2024

Rent Control Report
Quarter 2 (4/1/2024-6/30/2024)

Rent Board

	Total # of Applications	Total # of Applications approved	Total # of Applications Denied	Total # of Applications Tabled
Rent Increases	6	2	0	4
Complaints	1	1	0	0
Other	0	0	0	0
Quarter 2 Total:	**7**	**3**	**0**	**4**
Year to date Total	**10**	**5**	**0**	**5**

Rent Control Inspections

Type of Inspections	Total # Properties	Total # of units
Complaints (Potential violations reported to our office)	14	44
Audits (Proactive Enforcement based on percentage that rent was increased)	31	611
Quality Control (proactive verification of Data supplied to our office)	150	1105
Quarter 2 Total:	**195**	**1760**
Year to date Total	**257**	**2,221**