

RE: 93 Pleasant St
Meeting: TAC 12-07-21

Dear Members of the Technical Advisory Committee,

12-02-21

Please find the ordinances on the next page for easy review if interested. Based on the ZBA approval of the variances for 10.5A41.10C (finished floor above sidewalk, ground story height, entrance every 50') *the new structure at 93 Pleasant St will be non-conforming*. The proposed commercial space in this CD4 zoning allows a LOT of uses. ***These potential uses will likely fall under careful consideration by fire and all other departments.*** It should be remembered the lower ground floor height and the limited entrances would not be conducive to restaurant use under today's standards of safety, much less the proper placement of vents will be difficult, *specific uses may need to be eliminated* to maintain public safety.

Based on the purpose and provision of the Downtown Overlay District (DOD) it specifically states that section 10.1115 is modified BUT all OTHER provisions of section 10.1110 shall be complied with. **Section 10.1115.11 specifically states the DOD is only in effect "in recognition of the availability of municipal" and private on and off street facilities, etc.** The *parking use in that area of town is about 150% or more for all lots* as well as on and off street parking areas. This means there are NO regularly available on or off street spaces near 93 Pleasant St.

DOD does say no parking is required for commercial use **BUT the DOD is ONLY in effect IF there is availability of municipal/private on and off street facilities, etc.** There are NO REPORTS from the City of Portsmouth showing use of municipal parking spaces, lots and garages in this area of town included in the presented traffic report, nor any from the two privately owned lots. *Over 76 parking spaces are removed downtown for outdoor seating in the summer, many within feet of 93 Pleasant St adding to the lack of available spaces in this area.*

This building falls into a huge intensification of use under 10.1111.20; going from about 5000 sf of commercial to over 34,000sf. It is true that the DOD states commercial requires NO parking BUT **the DOD states the other regulations under 10.1110 must be followed which includes the intensification of use.** DOD does NOT state that because a building is in the DOD area all parking is revised. **It specifically states it must meet the provision of 10.1110 and IS ONLY IN EFFECT "in recognition of availability of parking.....**

The presented traffic report states a need for a minimum of 56 spaces at PEAK hours, for which they are providing 18 spaces. WHERE IS THE REAL DATA which shows where the other 38 cars will park? Trip generation and peak parking demand are NOT available parking spaces in municipal or private lots during peak and off season. Currently 93 Pleasant St is not able to meet the eligibility of the DOD requirements. A few more spaces could be added in the proposed underground lot, by the removal of some of the no longer required bicycle parking spaces.

Please ask for a more accurate Traffic Report which includes actual data from both municipal and private parkings areas during peak and off-season. Please restrict specific uses based on the lower ground story height and lack of entrances.

Respectfully,

Elizabeth Bratter
159 McDonough St,
Property owner

Ordinances next page

10.1115 Off-Street Parking Provisions in the Downtown Overlay District

10.1115.10 Purpose

10.1115.11 This Section 10.1115 establishes modified off-street parking standards for lots in the Downtown Overlay District **in recognition of the availability of municipal on-street and off-street parking facilities, private shared parking facilities, and public transit, and the pedestrian-oriented pattern of lots and uses.**

10.1115.12 Except as specifically modified by this Section 10.1115, **lots in the Downtown Overlay District shall comply with all other provisions of Section 10.1110.**

10.1115.24 The provisions of Section 10.1112.50, Maximum Number of Parking Facilities, shall not apply to buildings and uses within the Downtown Overlay District

Section 10.1110 Off-Street Parking

10.1111 General

10.1111.10 The purposes of Section 10.1110 are to manage parking supply to serve development needs without compromising community character or contributing to increased housing development costs. **These purposes will be achieved by calibrating off-street parking requirements to demands,** promoting shared parking arrangements for complementary uses, and providing for flexibility in the administration of off-street parking standards.

10.1111.20 All new buildings and structures, as well as additions to or changes in use or intensification of use in existing buildings and structures, shall be provided with off-street parking spaces in accordance with this Section.

10.1111.30 A use that is nonconforming as to the requirements for off-street parking shall not be enlarged or altered unless off-street parking is provided for the original building, structure or uses and all expansions, intensifications or additions sufficient to satisfy the requirements of this Section.

RE: 93 Pleasant St
Meeting: TAC 1-02-21

Dear Members of TAC,

It is very disconcerting that this development seems to forget that the MINIMUM parking requirements for the 52 units being presented **is 39 spaces**. Due to the *Downtown Overlay District (DOD)* the minimum parking requirement is reduced by 4 spaces and the presented Office Space is not required to provide any parking. All of these forgivenesses bring the number to a MINIMUM of 35. Many of the reports presented seems to dumb down that number to 28 which is NOT accurate.

This development had an entire lot (**.25 acres**) of parking spaces (pg 14) which have been replaced with a lot more building and only 18 on site parking spaces which will be rented out.

The number of units per floor are: the 3rd floor has 16, 2nd floor has 21 and the 1st floor has 15. IF *only* the 3rd and 2nd floor were used, the minimum requirement for parking would be 23 spaces for the 37 units with the DOD forgivenesses, making the presented 18 spaces a reasonable request. However the total number of units is 52 and actual MINIMUM number of spaces needed is 35 with the DOD allowances.

Please don't allow the language of this application to diminish the lack of available parking on site and the negative impact those extra 17 spaces will have in an already parking stressed neighborhood. ***The development could consider finding that sweet spot of a few extra parking spaces on the ground/first floor and less units. Potential residents may like having their own parking space on the same floor as their ground/first floor apartments especially if they are seniors!***

Respectfully,

Elizabeth Bratter
159 McDonough St
Property Owner

From: Private General
To: [Planning Info](#)
Subject: TAC Nov 3
Date: Friday, October 29, 2021 10:20:44 AM

Dear Planning Dept,

Please forward this email to Members of the Technical Advisory Committee for their November 2, 2021 meeting, ASAP. Thank you, Liz

**RE: 238 Deer Street
Meeting: TAC Nov 3, 2021**

Dear Members of TAC,

Thank you for your efforts to protect the citizens of Portsmouth for the many issues which arrive when structures are built.

This email is strictly to request all the necessary paperwork be changed to reflect that 238 Deer Street is receiving approvals for 21 units HOWEVER they have and currently still **only show 20 units on their plans (pg 25 plan A2)**. **It seems the only place another unit could be added would be on the ground floor which would require variances and plumbing etc changes.** Squeezing in a 21st unit will likely require some changes in the presented design plans. All plans should be updated to state the development is for 20 units OR all plans should be updated to include the additional 21st unit which currently does not exist.

Respectfully,

Elizabeth Bratter
159 McDonough St
Property Owner