

**CITY COUNCIL JOINT WORK SESSION**  
**WITH THE ECONOMIC DEVELOPMENT COMMISSION, HISTORIC DISTRICT COMMISSION**  
**AND PLANNING BOARD**

**Quarterly Meeting – Context Sensitive Redevelopment**

March 26, 2012 – 6:30 p.m.

Little Theatre and Library at Portsmouth High School

City Council Present: Mayor Spear, Assistant Mayor Lister, Councilors Coviello, Kennedy, Novelline Clayburgh, Lown, Dwyer and Thorsen    City Council Absent: Smith

Economic Development Commission Present: Everett Eaton, Eric Gregg, Josh Cyr, Philip Cohen, Dana Levenson, Robert Marchewka,

Historic District Commission Present: Joseph Almeida, Jonathan Wyckoff, George Melchior, Richard Katz, Dan Rawling and Elena Whitaker

Planning Board Present: John Ricci, Paige Roberts, Lisa Destefano, John Rice, Anthony Blenkinsop, Brian Groth

Staff Present: City Manager John Bohenko, Deputy City Manager Cindy Hayden, Planning Director Rick Taintor, City Planner Nick Cracknell, Economic Development Director Nancy Carmer, Deputy Public Works Director Dave Allen, Building Inspector Rick Hopley and City Attorney Robert Sullivan

---

**I. Call to Order – Mayor Spear**

Mayor Spear called the Work Session to order at 6:35 p.m.

**II. Presentation – Rick Taintor and Nick Cracknell, Planning Department**

- Context Sensitive Redevelopment

Planning Director Taintor and City Planner Cracknell reviewed a power point presentation (Attached) and answered several questions from the audience regarding the effect this type of zoning would have had on several recently proposed projects.

**III. Break**

*At 7:30 p.m., the presentation portion of the meeting was adjourned to the Library for the facilitated group discussion.*

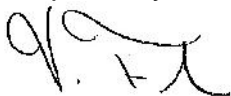
**IV. Facilitated Discussion in Break-out Groups**

Notes of the facilitated discussion groups are attached.

**VIII. Adjournment**

Mayor Spear closed the Work Session at 8:30 p.m.

Respectfully submitted by:



Valerie A. French, Deputy City Clerk

**Joint Work Session on  
Context Sensitive (C/S) Redevelopment  
March 26, 2012  
Breakout Group Notes**

**1. What are some concerns with Context-Sensitive Design?**

Nick's Group

- Would this type of zoning be more conducive to lawsuits between property owners (i.e. the hotel operators)?
- If we use this type of zoning in an overlay district, we need to make sure it's drafted to be defensible given that the density and design may vary significantly from the underlying zoning.
- It seems like a very positive zoning tool, but we will need early buy-in in order to prevent it from derailing in later stages of adoption.
- People need to be informed during the review process. Consideration for using the web-page and FAQs might help.
- It will likely be a challenge to get buy-in for a small-scale application of this type of zoning given the appearance of spot-zoning.
- At the neighborhood level, it will be important to obtain consensus from most property owners for this type of zoning tool.

Rick's Group

- "Streamlined"  $\leftrightarrow$  public input?
- Public input too late
- Need more/better public notice and better/constructive public input
- Define the approval process more clearly (all boards, committees)
- Smaller scale  $\rightarrow$  potentially less valuable to developer
- Lower density  $\rightarrow$  less sustainable?
- Is Planning Board equipped to do design review?

Cindy's Group

- More info on BOA role
- Neighborhood input-how will it work?
- Current (HDC) neighborhood input works well
- Are we bringing back Historic District-A & Historic District-B?
- Need checks and balances
- Will it make process too long/onerous for developers?
- Would this approach add burden to applicants?
- Location specific is too emotional. How do we focus on what areas?
- Want to identify areas (geographically) where this would apply

### Nancy's Group

- What if: property goes conventional zoning route & neighborhood wants c/s route (example: Getty Station on Islington St.)
- Methodology & punctuation between
- Does this increase or decrease restrictions-are we truly getting ahead by this?
- Does it increase land value? Specifically does it go up?
- Does this increase complexity of process for property owner?
- If c/s approach is implemented, where will the use be considered (ex. Sexual orientated business)
- This approach will require strong support of trust of Planning Board/staff
- RE: Incentives for property owners to use the c/s. Are they strong enough to get what we desire?
- How does the process work? Reliant on negotiations & on neighborhood participation.
- Need to think about the neighborhood context before development.

### Written Comments

- Legal will have to be extremely involved
- Not a blended opinion of the residents
- NIMBY
- Tax Betterment District-TIF at the neighborhood scale
- Public input
- Critics
- Don't get full buy-in from all owners

## 2. **What are the advantages of Context-Sensitive Design?**

### Nicks Group

- It appears to add economic value to the property.
- At the neighborhood level, it could be tied into a TIF program to support infrastructure improvements.
- It provides property owners with another voluntary option for developing their property.
- Avoids needing a variance for redevelopment and getting the right design and density.
- It provides incentives for better development and creative solutions.
- It can be tied into a more cohesive vision for the neighborhood that respects the traditional character and development pattern.

### Ricks Group

- Early public input → smoother process?
- Involve design early – better than developing only according to zoning
- Flexibility without need for variance

- Expand tax base; reuse derelict sites
- Provide incentives (e.g., TIF) to counter diseconomies
- Design review/standards

#### Cindy's Group

- Allows flexibility. Conventional zoning hogties HDC/PB. Is cutting edge.
- Has advantages from use side
- Encourages innovation
- Cognizant of building technology changes
- A good thing because public sector takes initiative on what it wants. Educates as to what we envision.
- EDC could take initiative (TIF) to drive on larger areas
- Public input is positive
- Opportunity for charrettes
- Opportunity for economic development
- Opportunity for workforce/affordable housing
- Vision menu
- May work well for Atlantic Heights conservation overlay district

#### Nancy's Group

- Smarter development
- Streamlines the work of boards
- Allows greater creativity by developer & city
- Allows alternatives
- Getty is great example of this approach and the concept shown was excellent
- Reduction in variances
- Allows City to follow pattern vs. break pattern
- Increase commercial property values which reduces residents' taxes
- Looser regulations. Allow more flexibility in use and perhaps increases property owner return = increase property value
- Allows creative design for city and provides incentives to property owners

#### Written Comments

- Paves more options-incentive based
- Guidance to the design team
- Adds oil to the squeaky wheel.

### **3. What areas, neighborhoods or sites would be appropriate for redevelopment using a Context-Sensitive Design Approach?**

#### Nick's Group

- Bridge/ Hanover and Deer Streets
- Hill and Rock Streets
- McDonough Street along the rail line

- McIntyre Building
- The Hyder property
- The former brewery buildings (Frank Joes Brewery?) off Islington Street
- Route 1 South/ Lafayette Rd. / Peverly Rd.

#### Ricks Group

- Islington Street Corridor/Streetscape Study → next step
- Frank Jones Brewery
- Bowlarama
- Market Street Extension (salt pile, etc.)
- Northern Tier / Vaughan Street
- TD Bank – 3 properties at State & Chestnut
- Neighborhoods between Route 1 Bypass and Dennett Street from Woodbury to Maplewood (residential/business corridor edge)

#### Cindy's Group

- Dennett Street
- Northern Tier
- McIntyre
- Elwyn, Maple Haven
- Atlantic Heights concerns with height increases at waterfront
- Neighborhoods with unbuildable lots
- Neighborhoods where McMansionization could hurt neighborhood character (Heights)
- Woodbury (south of Market Basket) underutilized properties.
- Cate Street
- Places where multiple zones come together
- Islington Street
- Gateway-Route 1
- Old Breweries
- State Street
- Market Street

#### Nancy's Group

- Borthwick Avenue
- Any transitional areas undergoing change from residential to commercial
- Islington/Brewery Lane area
- Bridge Street/Hanover area
- Vaughan Street/Maplewood Avenue area
- Frank Jones/Schultz Brewery area
- Create other "Market Squares"
- McDonough Street area
- Route 1 including "Cinema 5" Neighborhood
- Old Port Traders

- McIntyre Building Redevelopment

#### Written Comments

- Bridge & Deer Street-property owners
- McDonough to the Mill Pond area
- Hyder project-conditional use permit
- Brewery/Islington St.
- Getty Garden

#### 4. What questions do you have about Context-Sensitive Design?

##### Nick's group

- Can we see some real examples from outside Portsmouth where this has been done?
- What are the next steps to implementation of this type of zoning, and how can we improve public participation in this process (i.e. web-site, Herald articles and other marketing and outreach)?
- Would it be helpful to include the design professionals in this effort as they likely have useful input given their role in the design process?
- Can the Planning Department prepare some sort of a weekly report listing pending or current projects within the permitting process so the public can have a better sense of where things are in the review process and when they might attend a public meeting to offer comment?
- How will the public be involved in the site identification process and how can we encourage more citizen input and participation?

##### Rick's Group

- Will we identify sites in advance?
- What's the trigger?
- How will this play out in terms of workflow and process – boards and staff?
- Grounds for objecting or appealing decisions?
- Don't we already have this option through the BOA?
- Should we have architectural expertise?

##### Cindy's Group

- How apply to residential neighborhoods
- Enables/guides but protects
- Different processes for single parcel vs. area
- More information on use for vacant parcels vs. neighborhoods
- Much work/time on setting goals is needed
- Should be all inclusive
- What would the roles of specific board be?
- How to apply to specific, dilapidated buildings that you want to save
- Mechanics?

- Criteria?
- Goals?
- Who/how decide tradeoffs?
- More information on how landscaping would work
- What boards would be involved?
- How would it work with regulations like site review?
- Where and who draw line on flexibility?
- Would this limit board involvement?
- Is a new board needed?
- What is staff role?
- Avoid reinventing the wheel (HDC does good job)
- Involve ZBA now; Involve neighborhood leaders/associations later
- Hypothetical conventional vs. context charrette
- Great economic development tool
- Broad stakeholder input opportunity
- Part of Master Plan
- Roll out should be slow, clear and careful

#### Nancy's Group

- Is context-sensitive redevelopment a bona-fide practice? (I.e. Can I research on the internet?)
- Do we have the time to review parcels for C/S design before a proposal is submitted? If not, then what is the process?
- What is the approach for neighborhood discussion? Who leads? (City? Neighborhood?)
- What if one property owner wants to participate and the abutting owner does not?
- Do we consider the "5 minute walk" proximity in our C/S discussions?
- Can we include the bike routes in all this? Make it a priority when possible.

#### Written Comments

- Reach out to editorial board of paper
- Where has it worked elsewhere?
- City boards present a better explanation of what's coming up?
- Community Newsletter

### **5. What are some other topics that would be useful for future quarterly meetings?**

#### Nick's Group

- Tax Increment Financing and how it works and would support this type of zoning.
- Brownfield remediation and how we can support redevelopment of contaminated properties.

Rick's Group – No topics discussed

Cindy's Group

- Neighborhood protection
- Overview of underlying zoning districts?
- What do other towns do?
- Purview of Land Use Boards/EDC/Council
- What works/what doesn't
- Boulevards-Beautify-Complete Streets

Nancy's Group

- Strategies to maintain and increase mixed use in CBD- and how to create incentives for more office use in CBD.
- Live/development opportunities
- Tax Increment Financing (TIF)
- Comment: It would be helpful to maintain some type of continuum in topics

Written Comments

- TIF-Islington Street Corridor progress
- How to implement the creative land use concepts
- Great format, keep it up





# **Context-Sensitive Redevelopment**

## **Portsmouth Planning Department**

**March 26, 2012**







# Context-Sensitive Redevelopment

- **Defining Context-Sensitive Design**
- **Why Context-Sensitive Design Matters**
- **Goals of Context-Sensitive Design**
- **Comparing Conventional Zoning and Context-Sensitive Design**
- **Benefits of Context-Sensitive Design**
- **Impact on the Development Review Process**
- **Case Studies**
- **Implementation**

# Defining Context-Sensitive Design



## Using Neighborhood Context To Guide Building and Site Design

### Elements:

- Portsmouth's **Urban-Rural Context Zones**
- **Public Realm** and Streetscape Patterns
- **Private Realm** and Traditional Building and Site Design Patterns





# Portsmouth's Urban-Rural Context Zones





# Public Realm – Streetscape Patterns

## ■ Street Design

- Width & Surface
- Traffic Volume
- On-Street Parking

## ■ Green Edges

- Grass
- Street Trees

## ■ Sidewalks

- Width & Material
- Street Furniture

---

## ■ Front Yards

- Planters & Gardens
- Fences

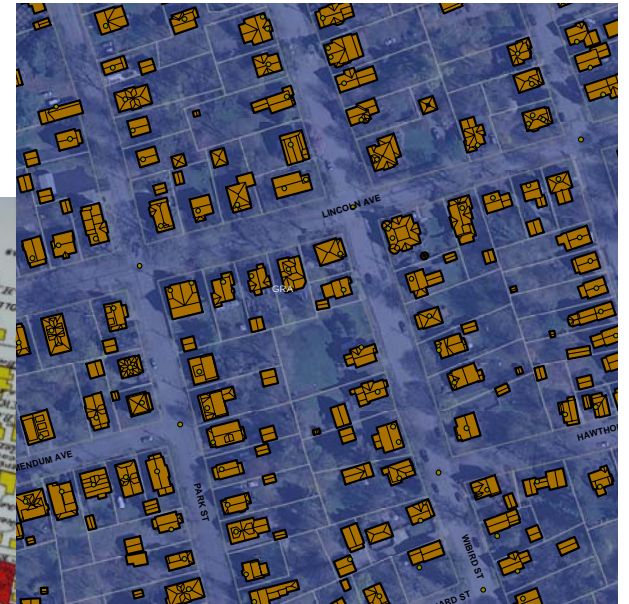
## ■ Projections

- Porticos & Porches
- Steps & Stoops



# Private Realm – Building & Site Design Patterns

- Typically Smaller Lots, Frontage, Footprints & Setbacks
- Parking subordinate to Buildings
- Mixed-Use & Higher Density
- Traditional Design Principles
- Wide Variety of Architectural Styles





# Why Context-Sensitive Design Matters

- Traditional development is fine-grained and varied
- Conventional zoning is broad-brush and uniform
- ➔ New developments may comply with zoning and yet not “fit in” with the specific neighborhood context



# Goals of Context-Sensitive Design

- **Historic Preservation**
  - Preserve Neighborhood Identity
  - Reuse Historic Buildings
  - Promote Compatible Infill
- **Economic Development**
  - Enhance Property Values
  - Expand the Tax Base
- **Land Use**
  - Streamline Local Permitting
  - Less Focus on Use and Function
  - Better Building and Site Design
- **Cultural & Environmental**
  - Protect Quality of Life
  - Encourage Sustainability







# Traditional and Context-Based Codes

<b>Issue/ Topic</b>	<b>Conventional Zoning Codes</b>	<b>Context-Based Codes</b>
Primary Focus	Use-Based	Design-Based
Planning Unit	Districts	Neighborhoods/ Streets
Primary Emphasis	Emphasis on Use and Rigid Dimensional Requirements	Emphasis on Building Relationship to Neighborhood Context
Land Use	Separation of Land Uses	Mixed-Uses
Goal/ Effect	Uniformity of Neighborhoods	Diversity of Neighborhoods
Design Standards or Review	Limited	Primary Focus on Design
Front Yards	Setbacks	Build-to Lines
Primary Focus	Property	Block/ Streetscape

# Benefits of Context-Sensitive Design

## ■ Benefits to Applicants

- Clear Standards
- Streamlined Permitting
- Compatible Density and Design Standards

## ■ Benefits to the Community

- Protection of Property Values
- More Public Input into Project Design
- Better Building and Site Design
- Higher Quality Projects that “Fit In” to Existing Neighborhoods



# Impact on Development Review Process

## 4-Step Design Process:

- 1. Existing Conditions Plan**
  - Map Key Site Features
- 2. Likely Scenario**
  - Existing Zoning Requirements
- 3. Alternative Scenario**
  - Context-Sensitive Design
  - Historic Land Use Patterns
  - Existing Building and Site Design
- 4. Refine and Translate the Vision**
  - Evaluate Regulatory Options
  - Consider Regulatory Amendments to Achieve the Vision

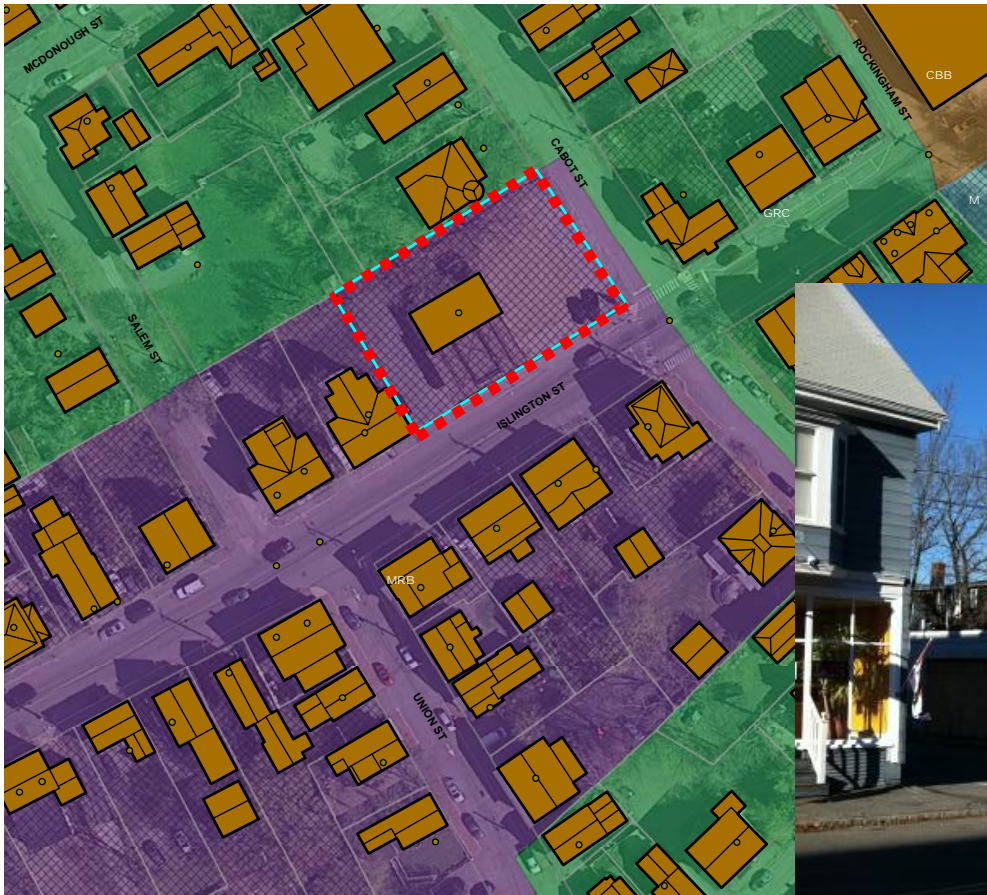




## **Case Studies: Using Context-Sensitive Design to Improve Building and Site Design**

- 1. Parcel – Islington Street Getty Station**
- 2. Block/Street – Washburn Plumbing Site**
- 3. Neighborhood – Cate Street Project**

# Case Study #1: Parcel – Islington Street Getty Station





# Existing Conditions & Neighborhood Context

- 15,000 +/- SF
- MRO District
- Historic District
- Abandoned, nonconforming use
- Out of scale and character
- Negative impact on abutting property values
- Residentially-scaled, mixed-use, multi-story buildings



# Likely Redevelopment – Using Conventional Zoning Requirements

- Single lot
- Single use
- Single story building
- Inconsistent lot coverage
- Inconsistent building footprint and volume
- Building subordinate to parking
- Inconsistent with neighborhood context.





# Alternative Redevelopment – Using Context-Sensitive Design Approach

- Multi-lot
- Multi-storied
- Mixed-use building
- Consistent lot coverage
- Consistent footprints and volumes
- Traditional building and site design
- Consistent with neighborhood context





# Alternative Redevelopment – Using Context-Sensitive Design Approach

- Multi-lot
- Multi-storied
- Mixed-use building
- Consistent lot coverage
- Consistent footprints and volumes
- Traditional building and site design
- Consistent with neighborhood context



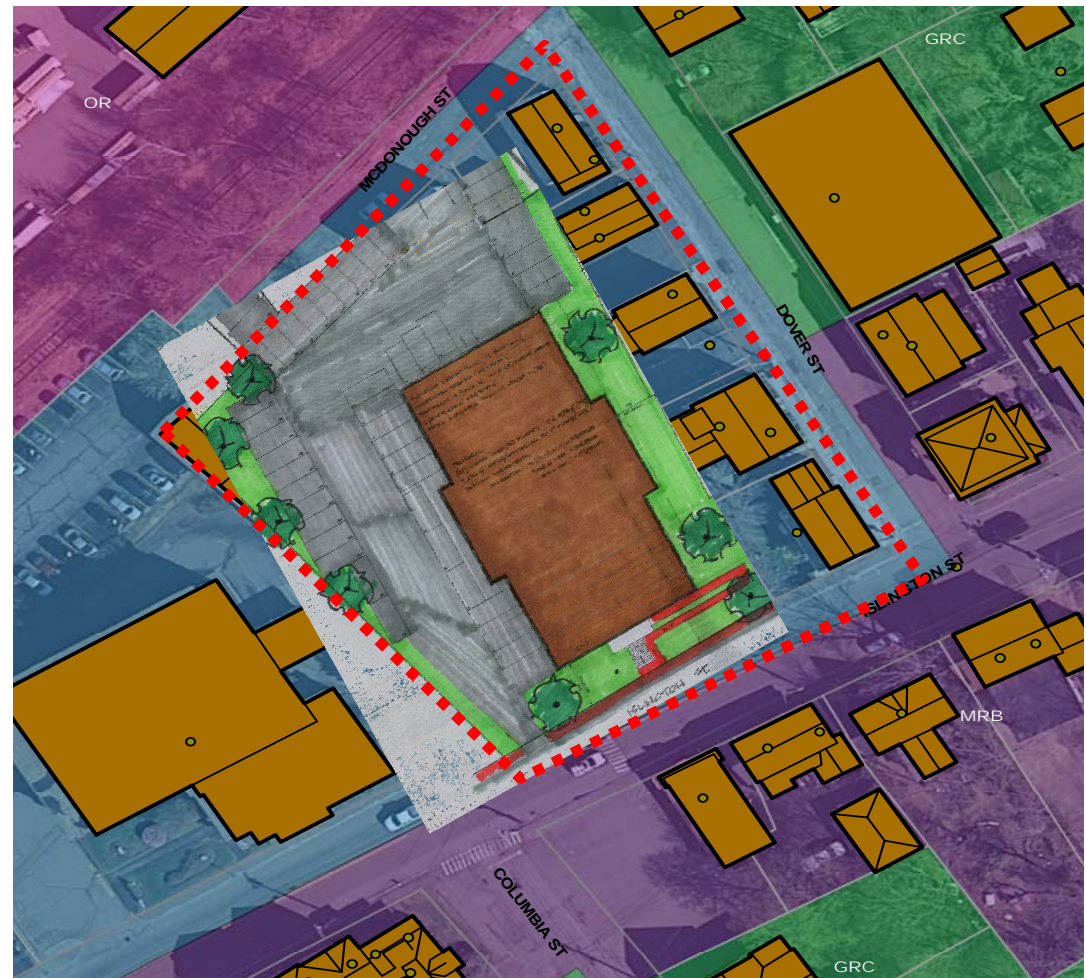
# Case Study #2: Block/Street – Washburn Plumbing Site





# Likely Redevelopment – Using Conventional Zoning Requirements

- Single lot, single use
- Multi-story building
- Inconsistent density
- Inconsistent building footprint and volume
- Out of context building design
- Building subordinate to parking
- Inconsistent with neighborhood context



# Alternative Redevelopment – Using Context-Sensitive Design Approach

- Multi-lot
- Multi-storied
- Mixed-use building
- Consistent density
- Consistent footprints and volumes
- Traditional building and site design
- Consistent with neighborhood context





# Case Study #3: Neighborhood – Cate Street Project







# Neighborhood Context

- Variable land uses and streetscapes
- Transportation corridors
- Natural resources
- Abrupt transitions
- Traffic concerns
- Underutilized land, “brownfields” and abandoned buildings
- Significant redevelopment opportunities





# Likely Redevelopment – Using Conventional Zoning Requirements

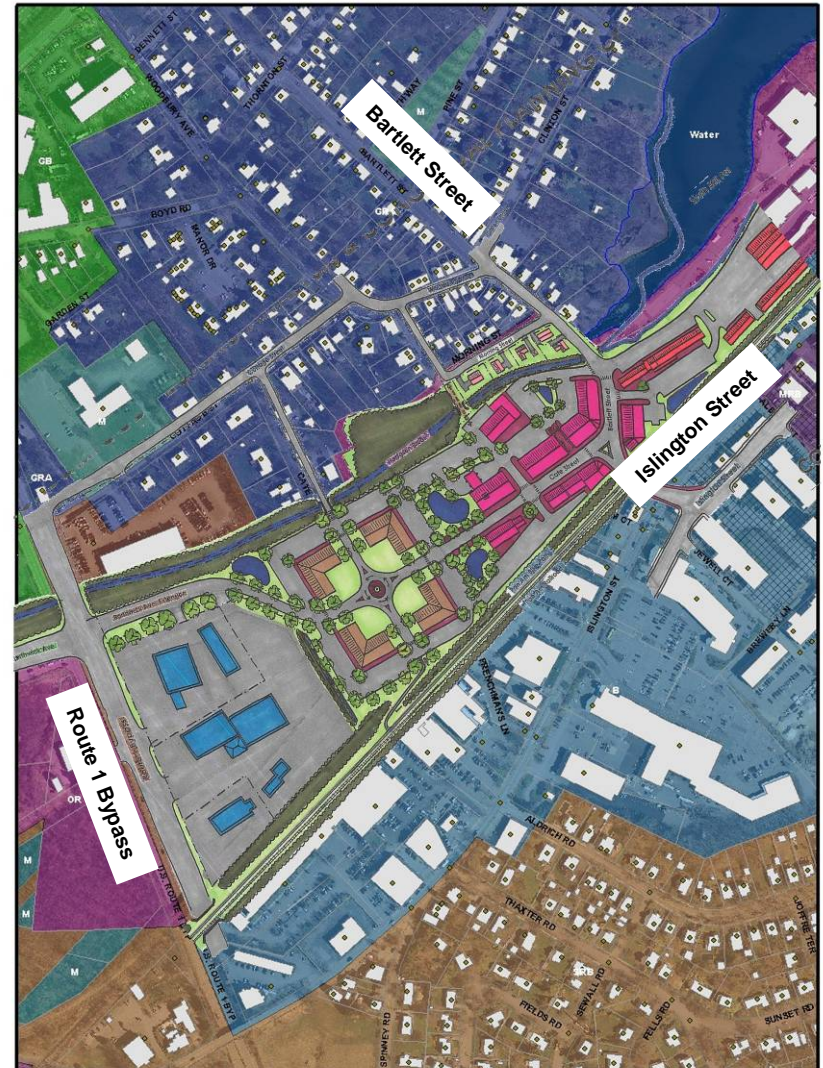
- Limited redevelopment opportunities
- Slow and incremental improvements
- Increased cut-through traffic
- No incentive or subsidy for traffic improvements
- Remains inconsistent with neighborhood context





# Alternative Redevelopment – Using Context-Sensitive Design Approach

- Discrete redevelopment areas with transitions
- Voluntary, incentive-based zoning regulations
- Link development to transportation improvements
- Strengthen transition zones and neighborhood identity
- Consistent with surrounding neighborhood context



# Alternative Redevelopment – Residential





# Alternative Redevelopment – Mixed-Use Neighborhood Center





# Implementation

## ■ Zoning Ordinance

### □ Parcel/Street/Block Level:

- Design and performance standards
- Conditional Use Permit (Planning Board)

### □ Neighborhood Level:

- Design and performance standards
- Infrastructure plan
- Overlay Districts/Subdistricts

## ■ Process

- Community meetings
- Joint work sessions of land use boards

## ■ Infrastructure Financing

- Tax Increment Financing (TIF)



# Summary

- Use Neighborhood Context to Guide Redevelopment
- Encourage Better Building and Site Design
- Strengthen Neighborhood “Sense-of-Place” by adding value and character

