

**MINUTES OF THE CITY OF PORTSMOUTH
ECONOMIC DEVELOPMENT COMMISSION**

March 7, 2014

Conference Room A

7:30 a.m.

Members Present: Everett Eaton, Chairman; Eric Spear, Dana Levenson, Ron Zolla (via telephone), Josh Cyr, Bob Marchewka, John Pratt, Eric Gregg

Excused: Philip Cohen

Absent: Stefany Shaheen, John Bosen

City Staff: City Manager John P. Bohenko, Program Manager Nancy Carmer

Chairman Eaton opened the meeting at 7:35 a.m.

Approval of draft meeting minutes of February 21, 2014

Commissioner Cyr moved and Commissioner Levenson seconded a motion to approve the draft meeting minutes of February 21, 2014 as amended. The motion carried unanimously.

New Business

Discussion on proposed Character-Based Zoning in the downtown area and proposed amendment to the Zoning Ordinance deleting Section 10.535.13 – Increased Building Height by Conditional Use Permit (Central Business A and B districts). Planning Director Rick Taintor provided an overview of a grant-funded character-based (a/k/a form-based) zoning analysis of the downtown core and the Planning Board's proposed amendment to the Zoning Ordinance that is currently slated for second reading at the March 17, 2014 City Council meeting. He explained that the Planning Department and the City's consultants, Town Planning and Urban Design Collaborative (TPUDC), worked throughout 2013 to develop new "form-based" zoning standards for the historic core of the downtown. This approach was taken in order to address a recognition that the scale and style of new developments as permitted under current zoning is not always consistent with the downtown's historic character.

The proposed ordinance will add a new Article 5A – Character Districts to the Zoning Ordinance. The development standards in Article 5A are based on the historic design character of downtown Portsmouth and seek to encourage new buildings and developments that fit in well with the surrounding context. The goal of this effort is to create zoning regulations that promote development that not only respects the historic character, but actually strengthens and enhances that character by filling in holes in the urban fabric with high-quality buildings. Based on public input on the proposal, changes were made to the draft ordinance and on February 20, 2014 the Planning Board voted unanimously to recommend that the City Council enact the proposed ordinance as amended.

Mr. Taintor said that the Planning Board also voted on February 20, 2014 to recommend to the City Council that the conditional use permit be retained to allow for buildings in the Central Business District to exceed the lesser of 45 feet or 3^{1/2} stories if it met four conditions. Two of the conditions relate to site design and two relate to building structure.

In discussing the relationship between the two proposed zoning ordinance amendments, Mr. Taintor said that if form-based zoning were adopted, then the conditional use permit may be a moot point. Originally, the conditional use permit was introduced by City Councilor Dwyer in 2013 as an interim measure to allow for completion of the form-based zoning study and implementation of recommended zoning amendments necessary to improve character-based regulations. Since then, only one project has come under review and been approved under the permit requirement.

In response to questions about the limited form-based zoning study area, Mr. Taintor stated that the study was limited to the Central Business District for two primary reasons: cost and the expressed need to respond to pressure in the downtown for infill development. The City is hoping to expand the study to the Islington Street corridor and the Gary's Beverage and former urban renewal areas of the Northern Tier.

Commissioners discussed the impact of the proposed zoning amendments on current development proposals such as the HarborCorp and Connie Bean projects and also on future development projects. It was the consensus of the EDC that one change without the other could result in less investment in the City (and thus, fewer increases to the tax base) as well as developments that lack character. Commissioner Pratt made a motion that EDC write letters of support for the Planning Board's recommendations to the City Council on both the proposed character-based zoning amendment and the to retain the conditional use permit as amended. Commissioner Gregg seconded the motion which passed unanimously. Draft letters will be sent to the Commissioner for edits before the March 17, 2014 City Council public hearing.

Public Comment

Lawrence Cataldo of 133 Islington Street complimented the City on the form-based zoning study and thinks the effort will be wasted if the new form codes and conditional use criteria are not carefully implemented. It is critical to do this right to achieve the goals of the study to preserve the architecture character and economic vitality.

Paul Mannle of 1490 Islington St. also complimented the City and Planning staff on the form-based zoning study. He questioned why the criteria and conditions proposed conditional use permit are not routinely required regardless of desired building height.

Next Meeting: Friday, April 4, 2014.

The regular meeting adjourned at 8:30 AM. Immediately following the regular EDC meeting the EDC Subcommittee established to work on the City Council referral to report back on a suitable downtown parking garage was convened.

EDC Subcommittee on Downtown Parking Garage recommendation

Subcommittee Members Present: Everett Eaton, Chairman; Josh Cyr, John Pratt

Subcommittee Members Excused: Philip Cohen

Subcommittee Members Absent: Stefany Shaheen

City Staff: City Manager John P. Bohenko, Program Manager Nancy Carmer, Deputy City Manager David Allen, Principal Planner Nick Cracknell, Parking & Transportation Director Mark Nelson

Other EDC members present: Dana Levenson, Ron Zolla (via telephone), Josh Cyr, Bob Marchewka, Eric Gregg

City Manager John P. Bohenko reviewed the following Subcommittee charge: "To request the Economic Development Commission to report back with a suitable location for a downtown parking garage that is not the Worth Lot or Parrot Ave. Lot. The Commission will consider privately held properties and municipal properties and/or a public-private partnership. Further, the City Manager is permitted to initiate negotiations with private parties to achieve the same."

Next, Principal Planner Cracknell reviewed the location criteria and analysis and recommendations included in the *October 2012 Report of the Parking Garage Site Selection Committee*.

Following this, the subcommittee discussed the status of some of the sites mentioned in the report and how best to proceed with the City Council charge. It was the consensus of the group to use the same criteria used in the October 2012 report and apply them to potential private sites. This would retain analytical consistency and allow new sites to be weighted by the same measures.

In discussing the boundaries of the comparative property analysis, it was decided that the group would use the "walking-distance" map that has previously been used for consideration of a downtown parking garage and identify a radius from the core. Within that area, the subcommittee will identify potential sites for a garage and

City staff can contact property owners to gauge interest in working with the City on a public/private partnership for structured public parking.

The City Manager mentioned the Gary's Beverage site on Deer Street as having the potential for a public/private partnership. The property owner has contacted the City about the possibility of incorporating public parking into redevelopment of that site. The Manager could not speak on the owner's behalf but thought he may be willing to speak with the subcommittee about a partnership. It was noted that redevelopment of that site is subject to the outcome of the zoning amendments discussed during the regular meeting.

The subcommittee agreed to send suggestions of potential sites to Ms. Carmer who will compile a list for a determination of suitability and discussion with property owners.

The meeting adjourned at 9:00 AM.

Respectfully submitted,
Nancy Carmer
Economic Development Program Manager