

1 **MINUTES**

2
3 **HOUSING COMMITTEE MEETING**

4
5 **8:30 AM**

OCTOBER 17, 2016

6
7 **EILEEN DONDERO FOLEY COUNCIL CHAMBERS**
8 **MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**
9 **PORTSMOUTH, NEW HAMPSHIRE**

10
11 **MEMBERS PRESENT:** Rebecca Perkins, City Councilor (Chair); Chris Dwyer, City Councilor;
12 Eric Spear, City Councilor; David Witham, Former Chair, Zoning Board
13 of Adjustment; Nancy Colbert Puff, Deputy City Manager; Mike
14 Kennedy, Commissioner, Portsmouth Housing Authority; John Ricci,
15 Chair, Planning Board; Rick Taintor, Planning Director; Jessa Berna,
16 Planner I

17
18 **MEMBERS ABSENT:** N/A

19
20
21 **I. WELCOME AND CALL TO ORDER**

22
23 Councilor Perkins explained the goal of the meeting would be to choose three locations for zoning
24 changes and to recommend the housing policy, as presented. She noted that the permitting process
25 could be addressed in a separate timeline, if necessary.

26
27
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29 **II. REVIEW SEPTEMBER 12 MEETING WITH DEVELOPERS**

30
31 Councilor Dwyer felt it would be beneficial to initially discuss the permitting since the zoning
32 recommendations refer to implementing the village center permitting.

33
34 Ms. Colbert Puff thought it is worthwhile to indicate what should occur in each location in addition to
35 zoning.

36
37 Councilor Spear understood that the location is the starting point and capital improvements, additional
38 amenities, or zoning would be considered subsequently.

39
40 Ms. Colbert Puff explained that village center permitting has all the components of pedestrian oriented
41 development. However, in New Hampshire it is aimed at rural areas with large acreage. After prior
42 discussions with Mr. Taintor, she suggested that a mixed-use overlay could be used to increase the
43 density. Councilor Dwyer thought it would be best to first discuss the potential locations before the
44 type of zoning.
45

46 Councilor Perkins provided an overview of the identified sites for zoning as follows:
47

- 48 1. Outer Woodbury Avenue (including KMart Plaza)
 - 49 2. Lafayette Road (south of Route 1 Bypass to Rye town line)
 - 50 3. Bowl-o-Rama plaza (includes the front and rear development)
 - 51 4. Borthwick Forest (between Borthwick Ave & Islington St)
 - 52 5. Exit 7 area (CCC Church to Kearsarge Way)
 - 53 6. Mirona Road
 - 54 7. Intersection of Ocean Road and Lafayette Road
 - 55 8. Maplewood Ave between I-95 and Route 1 Bypass
- 56

57 Councilor Spear asked the Committee what criterion makes a site more attractive than another.
58 Councilor Dwyer felt it depends on whether or not it is currently available in terms of space or
59 property as well as transportation accessibility. Mr. Witham suggested that there should be a strong
60 addendum that ensures all the locations remain under consideration. He felt that there should be at least
61 one location that is highly feasible to kick start momentum.
62

63 Mr. Kennedy suggested targeting lots that will allow the City to achieve the most possible impact.
64

65 Mr. Ricci felt that the Exit 7 area is a great location and mutually beneficial. He considered Lafayette
66 Road, Bowl-o-Rama plaza, and the Intersection of Ocean Road and Lafayette Road to be comingled.
67 He preferred standalone sites, but questioned the reality of developing that concept.
68

69 Councilor Perkins agreed it is important to have a project that sets the precedent.
70

71 Ms. Colbert Puff noted that there is certainly a strong interest at the Exit 7 area. The Market Street
72 gateway is forthcoming. There is also an interest from the neighborhoods at Maplewood Ave between
73 I-95 and Route 1 Bypass. It may not provide the largest opportunity, but could inspire other projects.
74 The Lafayette Road sites all appear the same and thus, she suggested the sites closest to downtown.
75

76 Mr. Taintor agreed that all the Lafayette Road sites are zoned gateway and thought the standards could
77 be revised to support and encourage mixed use development, except for the Intersection of Ocean Road
78 and Lafayette Road since that would require some rezoning. The Outer Woodbury Ave site should
79 consider first whether the gateway concept would be feasible. It would be tough to move forward
80 initially with the Borthwick Forest given the current litigations. The Exit 7 area could be appropriate to
81 look at both sides of the interchange. The Mirona Road area could be considered as gateway given the
82 amount of property available. Councilor Dwyer wondered if Mirona Road and Outer Woodbury Ave
83 are similar since most of the amenities are already available.
84

85 Councilor Spear thought that one or two recommendation(s) could be site specific and the other
86 recommendation would be to improve the gateway.
87

88 Mr. Taintor provided an overview of the gateway districts. They were created out of the general
89 business district and allows for the general business uses to have certain 30-foot setbacks, 30-foot
90 yards, maximum height of 40 feet, and so forth. Incentives are possible via conditional use permit for
91 gateway planned unit development, which allows for mixed use, taller building heights, lesser

92 setbacks, and residential uses to be between 30-70% of the total floor area. The zone assumed that the
93 residential development would drive the demand for the commercial uses. The gateway zoning was an
94 intent to use incentives and rely on market forces.

95
96 Mr. Taintor suggested one approach could be to strengthen the gateway zoning incentives to allow
97 more by special exception or more by right to attain higher standards. Another approach could allow
98 only mixed uses or to set high quality design review. Councilor Spear suggested that stronger
99 incentives could include improving the timeline on the process by providing more certainty in the
100 zoning.

101
102 Councilor Dwyer noted that the lack of workers will impact the City's economic vitality and thought
103 that Urban Development Action Grant (UDAG) funds could be utilized to offer help finance certain
104 types of residential development. Mr. Ricci thought such a financial option might be included as part
105 of the housing policy and that the City could be more proactive in approaching property owners with
106 available financing options.

107
108 Ms. Colbert Puff wondered if several developers could develop individual portions of an entire parcel.
109 Mr. Taintor said that is possible in the gateway zoning to subdivide the lots as such. Mixed use
110 development is allowable if at least 70% of the floor area would be residential, although it may be
111 realistically 75%. Councilor Dwyer wondered if it could be 100% residential. Mr. Taintor considered
112 that and noted it would be a significant change to planned unit development. Mr. Ricci suggested a
113 certain percentage of the residential units could be either rental or workforce ownership. Mr. Witham
114 added it should be tiered.

115
116 Councilor Perkins noted that a sliding scale could provide the flexibility for the covenanted
117 affordability. Councilor Dwyer thought there should be tradeoffs for affordability and quality. Mr.
118 Taintor felt the largest difference between market-rate units versus affordable units are the materials
119 used, which ties into the sliding scale mentioned. Councilor Dwyer added that it is important to
120 determine what is realistically necessary for the population. Mr. Taintor explained under state law, a
121 project qualifies as a workforce housing project if the majority of the units are two bedrooms or more.
122 However, the City can be flexible in its approach, since there are plenty of opportunities for
123 developments that serve the workforce but may not meet the statutory definition.

124
125 Mr. Taintor suggested that the mixed use developments could be allowed by right if the standards were
126 established. The gateway planned unit development could be eliminated and replaced by allowing by
127 right for residential or mixed use development provided that there is some sort of density bonus.
128 Perhaps there could be a mandate for a certain percentage of rental and workforce or affordable
129 housing as part of the tradeoff for being 100% residential. Development standards could support that.

130
131 Councilor Dwyer questioned whether it makes a difference if a project would be reusing an existing
132 structure or constructing an additional development. Further discussion ensued as to how and when
133 those differences would become prominent.

134
135 Mr. Taintor asked if residential use could potentially oversaturate commercial areas in a mixed use
136 concept outside the downtown area. He wondered if performance standards could help to address the
137 potential risks of that situation occurring. Mr. Witham wondered if when separating uses, whether the

138 affordability is affected in the same manner outside of the downtown area as it does within. Councilor
139 Dwyer thought the potential infringement of residential may not be a concern since several sectors
140 currently have an adequate amount of amenities available.

141
142 Mr. Taintor asked if in the past there could have substantial benefits in replacing a retail use with
143 100% residential. Councilor Perkins thought there were potential opportunities on Woodbury Avenue.
144 She suggested that it is important to attract more workers through policy.

145
146 Mr. Ricci asked if the gateway district would be an allowed use or special exception. Mr. Taintor
147 thought a mixed use development would be allowed by right. If it exceeds 75% then it would be
148 allowable by conditional use permit.

149
150 Ms. Berna felt the concern for 100% residential is that it could create isolated clusters of residential
151 areas. Gateway zoning should be drafted to avoid this, and the Outer Woodbury Ave could be included
152 into that discussion.

153
154 Councilor Spear emphasized the importance for the City to provide the infrastructure to support the
155 mixed use developments.

156
157 Mr. Taintor noted that in the past the gateway planned development required to meet neighborhood
158 development standards. It was found that those standards typically could not be met and the standards
159 had to be changed. He suggested that it may be beneficial to review those standards. Councilor Dwyer
160 thought that it is important to incentivize developers by providing those interior circulations of
161 accessibility.

162
163 Ms. Colbert Puff considered Mirona Road almost not a gateway development because it does not lie on
164 a 4-lane road and is within close proximity to the wetlands.

165
166 Mr. Taintor summarized that there are possibly three types of areas: the gateway (Lafayette Road and
167 Woodbury Avenue), the Mirona Road area, and the Maplewood Avenue/Exit 7 area. Ms. Colbert Puff
168 wondered what scale of density is appropriate at the Exit 7 area. There are some areas such as the GRC
169 district that do not currently have a type of zoning well suited for apartment buildings since the
170 maximum allowable unit per acre is approximately eight units.

171
172 Mr. Taintor replied to Councilor Dwyer that the areas closest to the downtown mostly between
173 Islington Street and Middle Street are examples of the GRC district.

174
175 Mr. Taintor highlighted the various zoning types, which include: the single residence; the GRA, which
176 allows 1-2 units; the GRB, which allows 1-4 units; the GRC, which allows up to 8 units; and, the
177 garden apartments, which is unlimited. The issues are the garden apartment district has a lower density
178 allowance than the GRC. Outside the downtown area, no district allows for an apartment building
179 more than eight units.

180
181 Councilor Spear thought that Exit 7 area is a location that could provide the most feasibility and
182 impact.

183

184 The Committee reached consensus to include all the drafted identified sites for zoning in the
185 recommendation, except for Borthwick Forest and Maplewood Avenue. Final revisions will be drafted
186 and circulated to the Committee for review prior to the November 17, 2016 work session with the
187 Council.

188

191 **IV. PUBLIC COMMENT**

193 Rick Becksted 1395 Islington Street

194 Mr. Becksted hoped that there would be an additional meeting to discuss the revisions and noted that
195 the revised documentation was not found on the website. He was curious as to why the Frank Jones
196 Center was not widely discussed by the Committee since it was rezoned to be in the gateway district.
197 There were plans developed for the interconnection from Bartlett Street to Borthwick Avenue and that
198 appeared to have been lost. He expressed concerns the idea to join Islington Street with Borthwick
199 Avenue. There is a significant difference between the commercial space at Pease Tradeport compared
200 to the rest of the City. He encouraged the Committee to continue the discussion.

202 Mr. Taintor noted that the Frank Jones Center was rezoned to gateway very recently and that is a
203 location that is worthwhile to consider for the housing policy. He responded to the reference of the
204 Borthwick Avenue connector and mentioned it is important for that property owner to come forth with
205 a revised plan.

207 Councilor Dwyer suggested that other locations along the gateway should be considered. Mr. Taintor
208 thought that the sites could be classified into certain scenarios. Councilor Spear suggested to consider
209 working with the Pease Development Authority for financial support.

210

212 **VI. ADJOURNMENT**

214 The Housing Committee meeting of October 17, 2016 adjourned at 10:00 a.m.

215

218 Respectfully submitted,

223 Marissa Day
224 Acting Secretary for the Housing Committee