

Findings of Fact | Parking Conditional Use Permit

City of Portsmouth Planning Board

Date: September 19, 2024

Property Address: 165 Deer Street

Application #: LU-19-242

Decision: Approve Deny Approve with Conditions

Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

Parking Conditional Use Permit

10.1112.14 The Planning Board may grant a conditional use permit to allow a building or use to provide less than the minimum number of off-street parking spaces required by Section 10.1112.30, Section 10.1112.61, or Section 10.1115.20, as applicable, or to exceed the maximum number of off-street parking spaces allowed by Section 10.1112.51.

	Parking Conditional Use Permit 10.1112.14 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
1	10.1112.141 An application for a conditional use permit under this section shall include a parking demand analysis, which shall be reviewed by the City's Technical Advisory Committee prior to submission to the Planning Board, demonstrating that the proposed number of off-street parking spaces is sufficient for the proposed use.	Meets Does Not Meet	<ul style="list-style-type: none"> As discussed previously with the City, the parking demand analysis was reviewed by the City's Technical Advisory Committee on August 13th who had no comments or issues with the proposed parking reduction. Attachment A of the Conditional Use Permit Application included the parking demand analysis prepared for this development.
2	10.1112.142 An application for a conditional use permit under this section shall identify permanent evidence-based measures to reduce parking demand, including but not limited to provision of rideshare/microtransit services	Meets Does Not Meet	<ul style="list-style-type: none"> Evidence based measures to reduce parking demand are included in the section headed 'Additional Considerations' of the parking demand analysis.

	Parking Conditional Use Permit 10.1112.14 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
	or bikeshare station(s) servicing the property, proximity to public transit, car/van-pool incentives, alternative transit subsidies, provisions for teleworking, and shared parking on a separate lot subject to the requirements of 10.1112.62.		<ul style="list-style-type: none"> In the additional consideration's section, it identifies permanent evidence based measures such as services provided by the hotel, public and private transport, and shared parking spaces at another parking garage.
3	10.1112.143 The Planning Board may grant a conditional use permit only if it finds that the number of off-street parking spaces required or allowed by the permit will be adequate and appropriate for the proposed use of the property. In making this determination, the Board may accept, modify or reject the findings of the applicant's parking demand analysis.	Meets Does Not Meet	<ul style="list-style-type: none"> The Applicant understands that the Planning Board may grant a conditional use permit based off the findings of the parking demand analysis and whether or not they deem the parking analysis adequate.
4	10.1112.144 At its discretion, the Planning Board may require more off-street parking spaces than the minimum number requested by the applicant, or may allow fewer spaces than the maximum number requested by the applicant.	Meets Does Not Meet	<ul style="list-style-type: none"> The Applicant understands that the Planning Board may grant a conditional use permit based off the findings of the parking demand analysis and whether or not they deem the parking analysis adequate.
5	<u>Other Board Findings:</u>		
6	<u>Additional Conditions of Approval:</u>		