

MEMORANDUM

TO: Portsmouth Zoning Board of Adjustment (“ZBA”)
FROM: R. Timothy Phoenix, Esquire
DATE: July 31, 2019
Re: Foundry Place, LLC, Owner/Applicant
Project Location: 181 Hill Street
Tax Map 138/Lot 62
Character District 5 (CD5); Downtown & North-End Incentive Overlay Districts

Dear Chairman Rheaume and Zoning Board Members:

On behalf of Foundry Place, LLC (“Foundry”), we are pleased to submit this Memorandum and exhibits in support of Zoning Relief for the above referenced property, formerly Lot 6 of the Deer Street Mixed Used Development Project.

I. EXHIBITS

1. Site Photographs.
2. 7/11/2019 – Existing Conditions Plan – by Ambit Engineering, Inc.
3. 7/30/2019 – Average Grade Plane Plan – by Ambit Engineering, Inc.
4. 6/2019 – Site Plan – by Gorrill Palmer.
5. 7/23/2019 – Foundry Place Cambria Hotel – by Legat Architects.
 - A101 – Ground Floor Plan.
 - A102 – Second Floor Plan.
 - A103 – Typical Floor Plan.
 - A200 – North Elevation.
 - A201 – East Elevation.
 - A202 – South Elevation.
 - A203 – West Elevation.
 - A204 – Perspective Views.
6. Backyard Buddy – Vehicle Lift.
7. Tax Map 138.

II. PROPERT/PROJECT

The subject property (the “Property”), located at 181 Hill Street¹ and identified as Lot 6 of the previously approved Deer Street Mixed Use Development Project (**Exhibit 1**), is currently vacant. On November 16, 2017, the Planning Board granted conditional Site Plan approval for an incentive based 62-ft. four-story mixed-use building with a penthouse with conditions to then-owner Deer Street Associates. The original approval was valid for one year pursuant to Site Plan

¹ It is a Hill Street address presently as Foundry Place was only recently developed. Notably Hill Street is not a public street, it is a right of way. The front of the proposed building will be on Foundry Place; thus, Foundry Place will be the address.

Regulation §2.14.1. In December 2017, the parcel was conveyed to current Owner, Foundry Place, LLC. On August 23, 2018, followed by letter dated August 27, 2018, the Planning Board granted Foundry's request for a one-year extension of the site plan approval, expiring November 15, 2019. On July 2, 2019, Foundry filed a request, now pending before the Planning Board, for an extension until November 15, 2020.

Foundry has revisited its plans for the Property and now seeks to build a six-story hotel with off-street interior valet parking utilizing lifts. The Property is in the City's North End, CD5 Zone, and Downtown Overlay and North-End Incentive Districts. Retail, restaurant, and hotel uses are permitted in the CD5 Zone, the intent of which is to provide for higher density development and greater lot coverage². Incentives allow the project to provide wide pedestrian sidewalks and obtain an additional 10-ft. in height. While the proposed 60-ft. height is compliant and less than the 62-ft. previously approved, the presence of groundwater and bedrock prevent construction of an underground parking garage serving the property. Accordingly, relief is required for an additional story to accommodate the garage, a parking lift system, and ten slightly undersized parking spaces.

III. RELIEF REQUIRED

1. PZO §10.5A43.31 and §10.5A46.10 – To permit, in combination with the application of an incentive, a six-story 60-foot tall building where a five-story 60-foot tall building is permitted.

The Property is in height area 2-4 stories (Map 10.5A.21.B) resulting in permitted four stories and permitted height of 50-feet. Application of the Incentives to Development Standards contained in PZO §10.5A46.10 results in a permitted height of 60-feet and five stories.

2. Section 10.11.14.21 – To allow 54 valet-only interior parking spaces utilizing a two-car lift system in each bay where ten spaces do not meet the parking space depth requirements.
3. Section 10.1114.32(a) – To permit a valet-only lift system which requires passing over another parking space or moving another vehicle where both requirements are prohibited.

With the accompanying lift system requested, the site accommodates 54 spaces in the proposed hotel garage, 14 spaces off Hill Street with an additional 18 spaces in the Municipal

² See PZO §10.5A41.10D providing a maximum building coverage of 95% and minimum front lot line build out of 80%.

Garage for a total of 86 spaces.³ Ten of these spaces are slightly undersized. All parking spaces are compliant in width, measuring from 8-ft, 6-in. to 9-ft, 3-in. where 8.5-ft is required. Ten spaces are slightly under the required length: Spots 3-6 measure 17-ft., 5 5/8 inches long and spots 19 through 24 are 18-ft. long where the minimum permitted length is 19-ft. Additionally, use of the valet-only lift system will require passing over other spaces and/or moving another vehicle to access the lift spaces.

IV. VARIANCE REQUIREMENTS

1. The variances will not be contrary to the public interest.
2. The spirit of the ordinance is observed.

The first step in the ZBA's analysis is to determine whether granting a variance is not contrary to the public interest and is consistent with the spirit and intent of the ordinance, considered together pursuant to Malachy Glen Associates, Inc. v. Town of Chichester, 155 N.H. 102 (2007) and its progeny. Upon examination, it must be determined whether granting a variance "would unduly and to a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives". Id. "Mere conflict with the zoning ordinance is not enough". Id.

The purpose of the Portsmouth Zoning Ordinance as set forth in PZO §10.121 is "to promote the health, safety and the general welfare of Portsmouth and its region in accordance with the City of Portsmouth Master Plan... [by] regulating":

1. The use of land, buildings and structures for business, industrial, residential and other purposes – Retail, restaurant, and hotel uses are permitted in the CD5 Zone. The requested relief permits an additional story to accommodate interior parking while the application of an incentive creates additional community space. The proposed 60-ft. building is shorter than the previously approved 62-ft. four-story plus penthouse previously approved on November 16, 2017 and extended to November 15, 2019. The proposed height is also shorter than the adjacent Foundry Place Garage which has six parking levels and measures approximately 61-ft. from an average grade of 12-ft. 0-in.

³ After consultation with the Planning Department, Applicant may utilize an allocation of licensed Portsmouth Foundry Place Garage spaces to ensure sufficient parking is provided for the Hotel use. PZO § 10.1113.111 Required parking spaces may be located on a separate lot from the principal use which they serve where a municipally owned or operated covered parking facility is constructed as part of the overall development.

2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space – The Property meets all applicable lot size, coverage, bulk, and open space requirements for the CD5 Zone. The proposed height of 60-ft. is less than the previously approved project and accommodates interior parking which is safely maximized using valet-only parking and lifts.

3. The design of facilities for vehicular access, circulation, parking and loading – Vehicular access to the Property is via a new entrance curb cut off Foundry Place. Adequate parking is provided through the use of lifts and the City garage, allowing internal parking and maximizing the density of the lot consistent with the intent of CD5. Orderly parking and loading will be maintained through the use of a valet-only parking service within the building garage.

4. The impacts on properties of outdoor lighting, noise, vibration, stormwater runoff and flooding – None of these are negatively affected by the requested relief, which provides significant internal parking, thereby limiting congestion on the street, as well as the impact of headlights and vehicle noise on adjacent properties. It also reduces the need for a large parking area outside enabling Applicant to meet density and build out requirements of the CD-5 Zone while also providing wide sidewalks and landscaping. The requested variance for an additional story results from raising the building above the groundwater level which avoids pumping groundwater into the overburdened Deer Street Stormwater System and also avoids the negative effects of bedrock removal along the Hill Street right-of-way that would require a hoe rammer and attendant disruptive noise and vibrations. Additionally, Planning Board site review will fully vet these issues.

5. The preservation and enhancement of the visual environment – The parking relief allows Foundry to maintain the majority of the parking within the building, visually shielding it from the surrounding properties. The additional building story requiring relief is contained within a 60-ft. height-compliant structure, is less than the previously approved height of 62-ft., and comparable to the Foundry Place Garage. Coupled with the community space incentive of wider sidewalks, the proposal greatly enhances the visual environment.

6. The preservation of historic districts, and buildings and structures of historic or architectural interest – While not in the Historic District, the Property is part of the larger Deer Street Redevelopment Project, requiring significant municipal review. Thus, the Property has

and will continue to have close review by municipal boards with respect to its overall architectural design in conjunction with the rest of the Project.

7. The protection of natural resources, including groundwater, surface water, wetlands, wildlife habitat and air quality – The proposal meets all lot coverage and open space requirements. The variances requested relate to number of stories and to internal parking configuration, which do not impact natural resources. Indeed, the reduced parking area achieved through the use of lifts increases the space available for wide sidewalks as well as additional landscaping. Water related issues will be vetted by TAC and the Planning Board in the site review process.

Based upon the foregoing, none of the variances “in a marked degree conflict with the ordinance such that they violate the ordinance’s basic zoning objectives”. Malachy Glen, supra, which also held:

One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would alter the essential character of the locality.... . Another approach to [determine] whether granting the variance violates basic zoning objectives is to examine whether granting the variance would threaten the public health, safety or welfare. (emphasis added)

CD5 is intended to promote higher density development, precisely what is proposed for the Property. The proposal is consistent with the surrounding area and general intent of the CD5 zoning district. The view of a 60-ft. six-story building has the same visual effect as a 62-ft. four-story plus penthouse building and is comparable to the 61-ft. Foundry Place Parking Garage. Parking, including use of the lifts, will not be seen or used by the general public. Accordingly, granting each variance will neither “alter the essential character of the locality,” nor “threaten the public health, safety or welfare”.

3. Granting the variance will not diminish surrounding property values.

The requested relief allows for the inclusion of valet-only parking within the building structure, thereby limiting impacts to nearby properties due to headlights, noise, and use of public parking. Through the use of incentives, the surrounding area is enhanced by wide sidewalks and landscaping and suffers no negative affect from a six-story 60-ft. tall structure as compared to a five-story 60-ft. building. In fact, as compared to a four-story plus penthouse structure of the same height, the proposed six-story structure requires an additional two-feet of

sidewalk width which provides a benefit to the public. In light of these factors, and the redevelopment of the area as a whole, consistent with the intent of the PZO and Master Plan, granting the variances will not diminish surrounding property values.

4. Denial of the variances results in an unnecessary hardship.

a. Special conditions distinguish the property/project from others in the area.

The CD5 Zone promotes dense build-out of lots. When viewed in light of these requirements, the actual area available for parking on the Property is quite limited. The proximity of groundwater and bedrock below grade was a significant source of discussion during the planning process of the previously approved project and several scenarios were contemplated to manage stormwater while simultaneously minimizing the burden on the Deer Street Stormwater System. Accordingly, the design team raised the ground floor and added waterproofing to avoid pumping groundwater into the Deer Street Stormwater System. This in turn translates into an additional story because the first floor (at elevation 12-ft, 0-in.) is within three feet of the average grade plane (14-ft., 10 3/8- in.), but is not far enough below grade to be excluded from the story count. Thus, relief is necessary to accommodate an additional story and to provide interior parking for the Property and the Project. These conditions combine to create special conditions.

b. No fair and substantial relationship exists between the general public purposes of the ordinance and its specific application in this instance.

As noted, the intent of CD5 is to promote greater density and build-out of lots. To meet this intent, while maintaining compliance with the underlying dimensional requirements and providing an adequate number of parking spaces, Foundry proposes the use of a parking lift system within the building. The purpose of the relevant parking regulations – passing over other parking spaces and providing adequate dimensions – relate to user safety, traffic circulation, and ease of use. Here, safety and proper traffic circulation will be maintained via the use of a valet-only service for parking inside the building's garage.

Story restrictions exist to promote adequate air and light for abutting properties. The proposed building layout complies with all coverage, open space and setback requirements. With the application of incentives, building height is compliant at 60-feet, less than previously approved, but because the first floor is nearly at grade and must be counted, the additional building story requires relief. The additional ten feet available via the community space incentive

is not exceeded, only the number of stories. For all of these reasons, there is no fair and substantial relationship between the general public purposes of these provisions of the PZO and their specific application to the Property.

c. The proposed use is reasonable.

If the use is permitted, it is deemed reasonable. Vigeant v. Hudson, 151 N.H. 747 (2005) The proposed use of the Property for a hotel is permitted and is consistent with the overall intent of CD5 and the Master Plan to create higher density mixed use development in the area. As such, and for all of the reasons stated, this proposed use is reasonable.

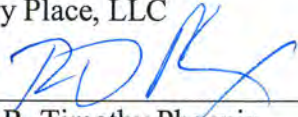
5. Substantial justice will be done by granting the variance.

If “there is no benefit to the public that would outweigh the hardship to the applicant” this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, L.L.C., 162 N.H. 508 (2011). That is, “any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice”. Malachy Glen, *supra* at 109. Granting the variances allows Foundry to manage its stormwater without burdening the Deer Street Stormwater System while simultaneously providing a majority of interior valet-only parking and wide sidewalks. Denying any of the variances provides no benefit the public as the parking and lifts are hidden from view, the use of valet-only parking ensures safe parking and vehicular circulation, and the visual impact of a six-story 60-ft. structure is identical to the 60-ft. four-story plus penthouse proposal previously approved and is accompanied by wide sidewalks. Conversely, denial deprives Foundry the reasonable use and development of the Property. Accordingly, there is no benefit to the public that outweighs the harm to the owner if the requested variances are not granted. Denial would result in an unreasonable and unconstitutional taking of their rights.

V. CONCLUSION

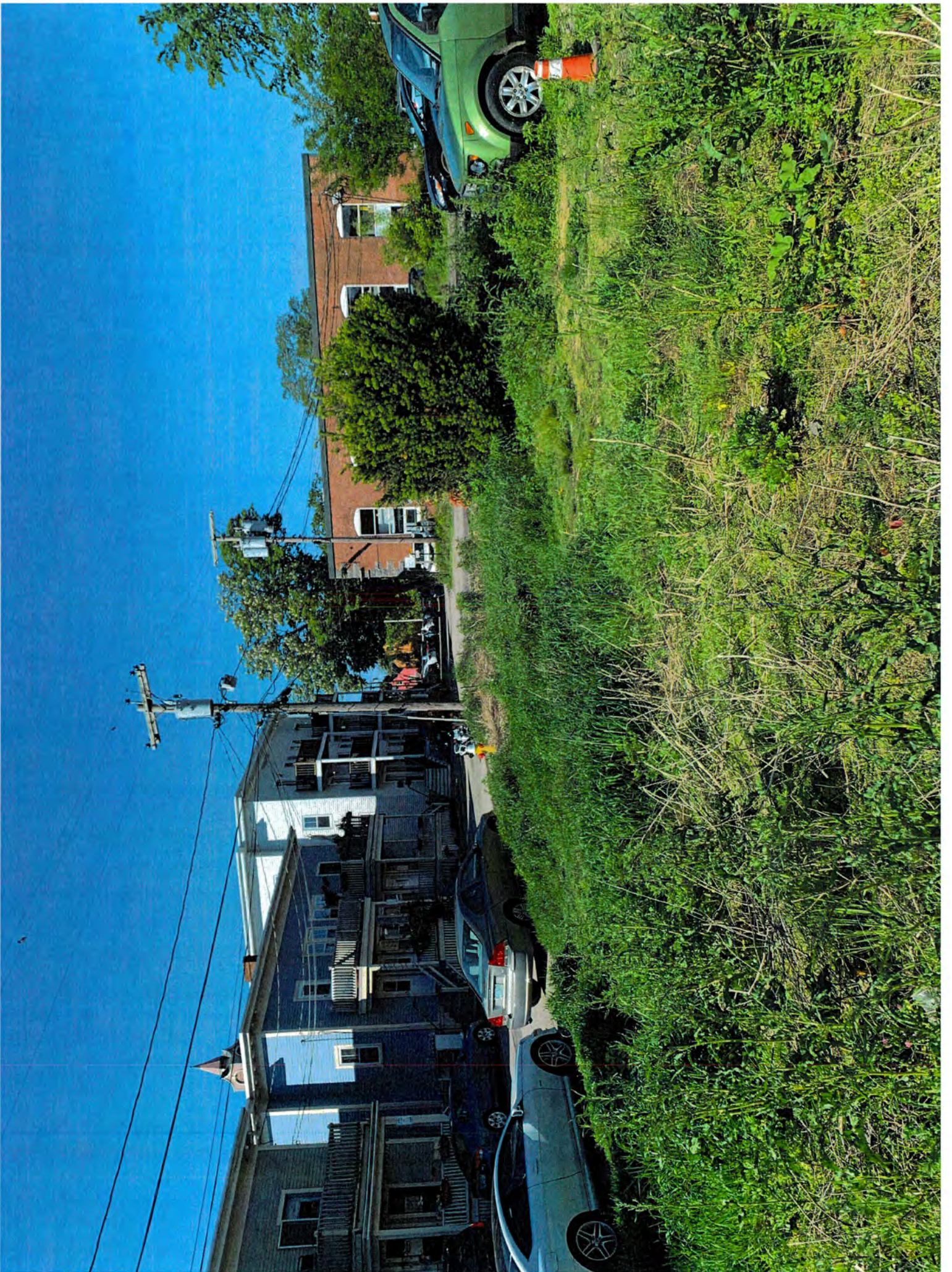
For all of the reasons stated, Foundry respectfully requests that the Portsmouth Zoning Board of Adjustment grant the submitted variance requests.

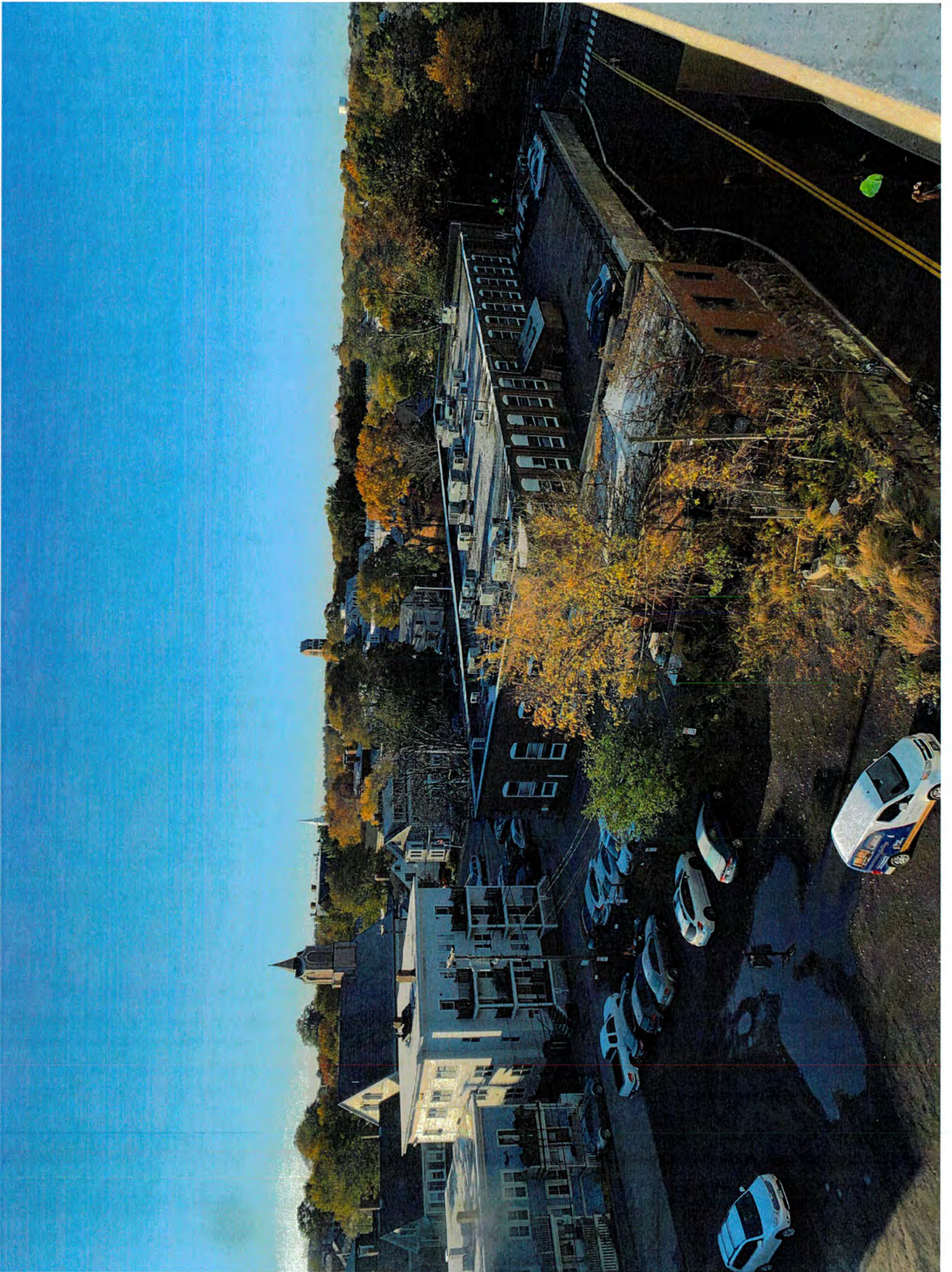
Respectfully submitted,
Foundry Place, LLC

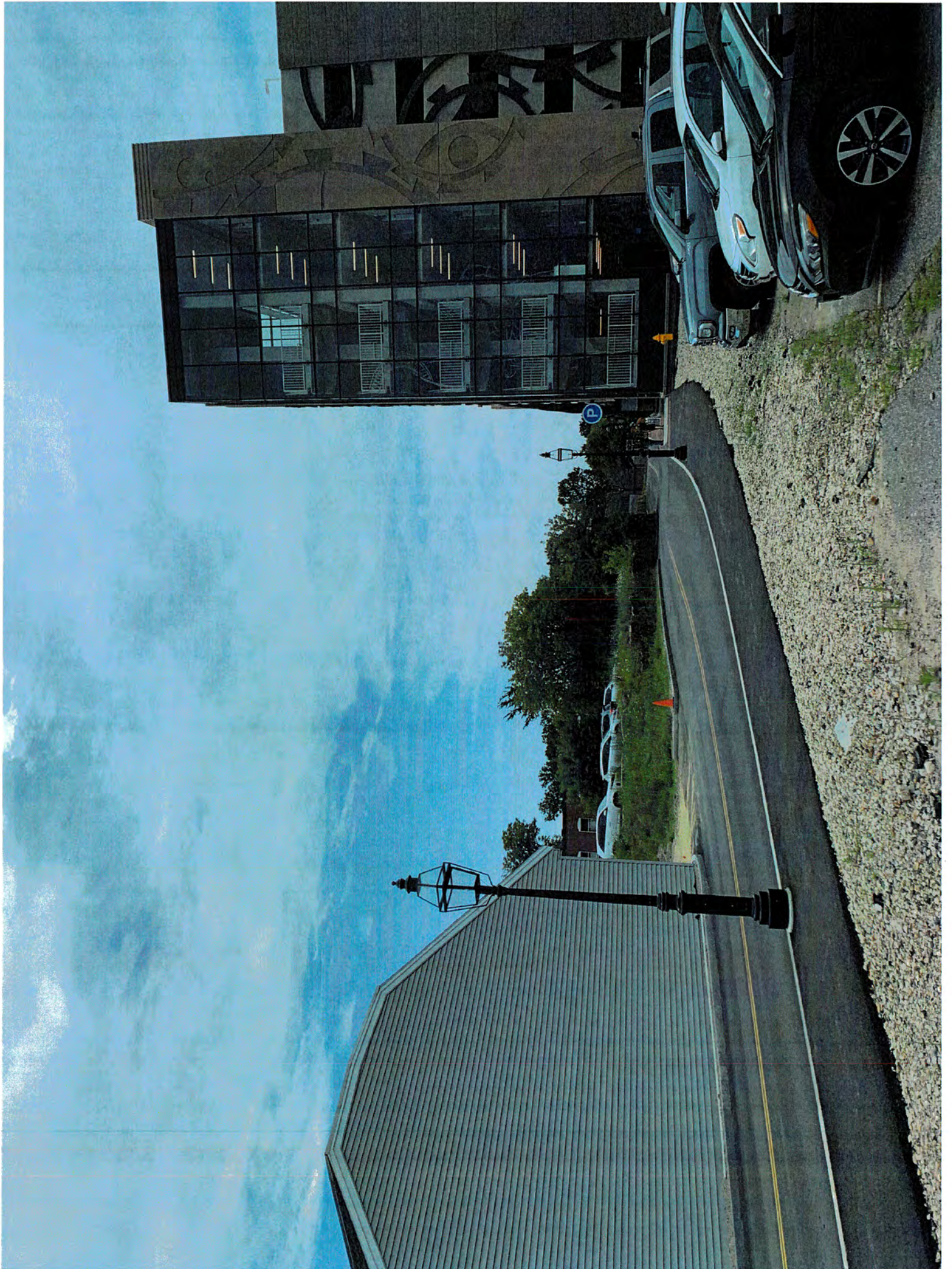

By: R. Timothy Phoenix
Monica F. Kieser

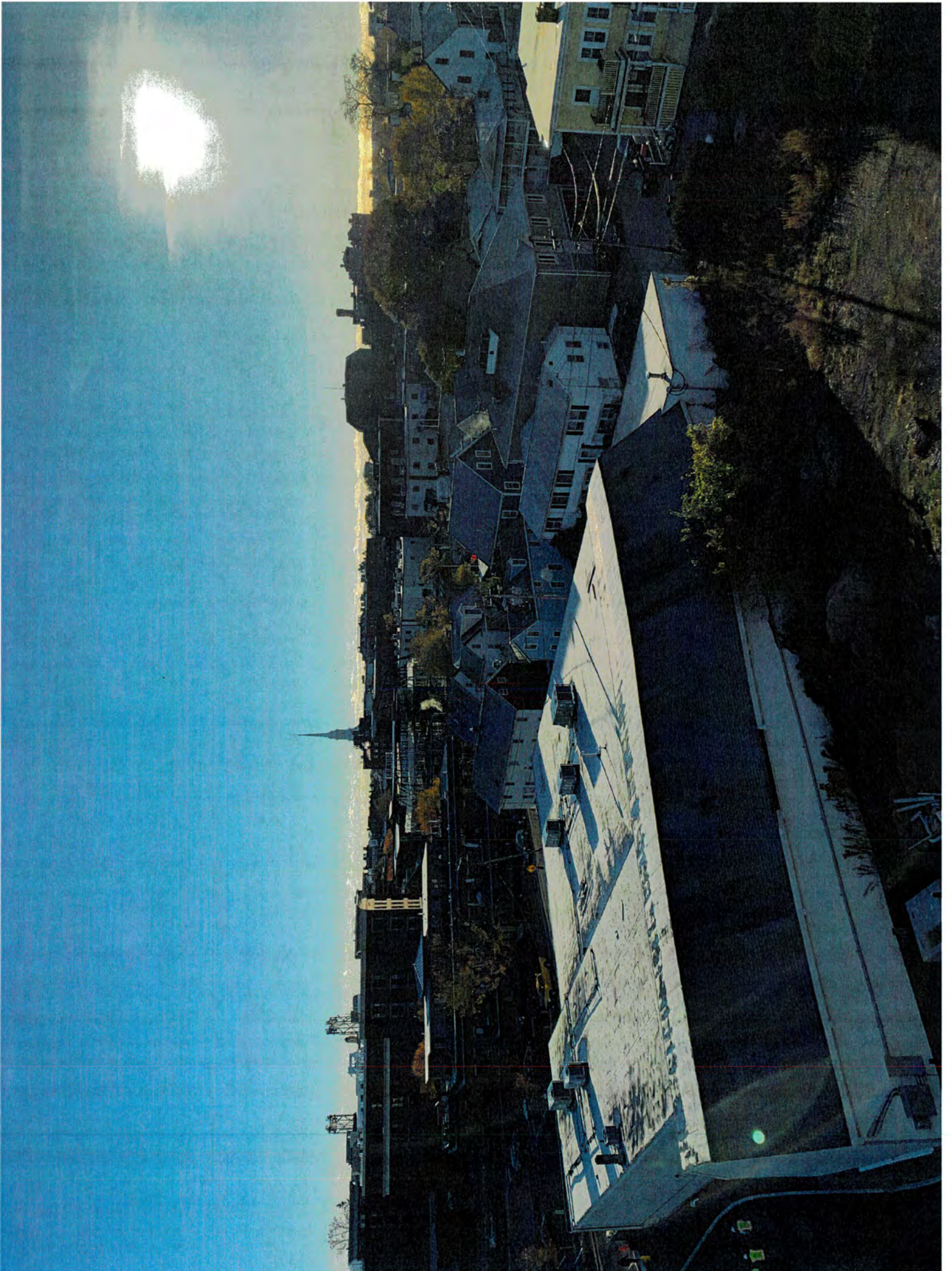
tabbles®
EXHIBIT
1

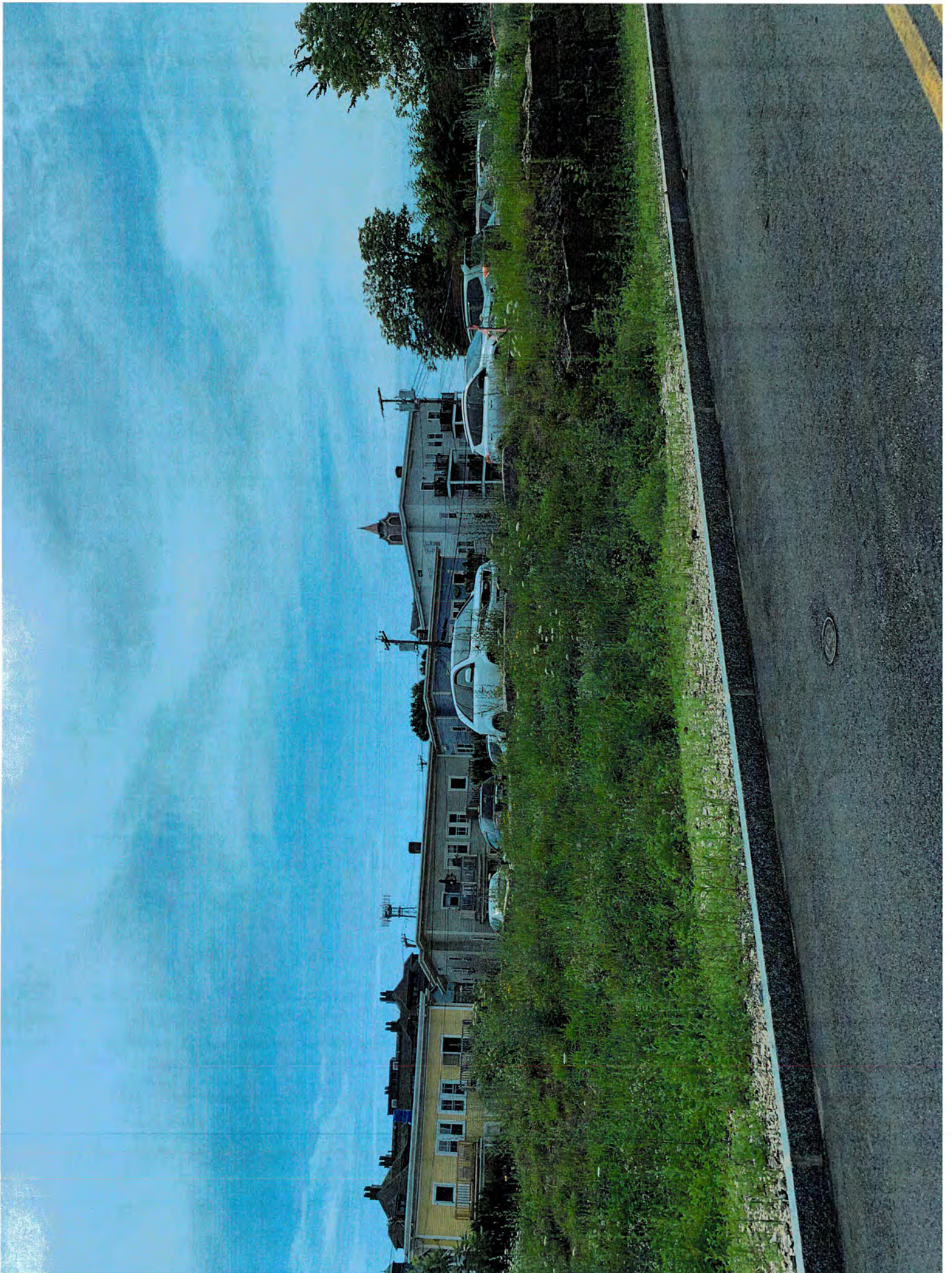














- Overlay Districts**
- DOD Downtown Overlay District
 - HD Historic District
- Character Districts**
- CD5 Character District 5
 - CD4 Character District 4
 - CD4-W Character District 4-W
 - CD4-L1 Character District 4-L1
 - CD4-L2 Character District 4-L2
- Civic District**
- CVIC Civic District
- Other Districts**
- M Municipal District
 - TC Transportation Corridor



- Legend**
- Height requirement area**
- 1 Story 20'
 - 2 Stories 35'
 - 2-3 Stories (short 3rd) 35'
 - 2-3 Stories 40'
 - 2-3 Stories (short 4th) 45'
 - 2-4 Stories 50'
 - 2-4 Stories (short 5th) 60'
 - 2-5 Stories 60'
- Incentive Overlay Districts**
- Within the Incentive Overlay Districts, certain specified development standards, including height, density and parking, may be modified pursuant to Section 10.5A47.
- North End Incentive Overlay District between Maplewood Avenue and Russell Street, the boundary of the North End Incentive Overlay District is established at 100 feet from the mean high water line.



- Legend**
- Required Façade Types**
- Shopfront façade type
 - Step, stoop or recessed entry façade type
 - Officefront façade type

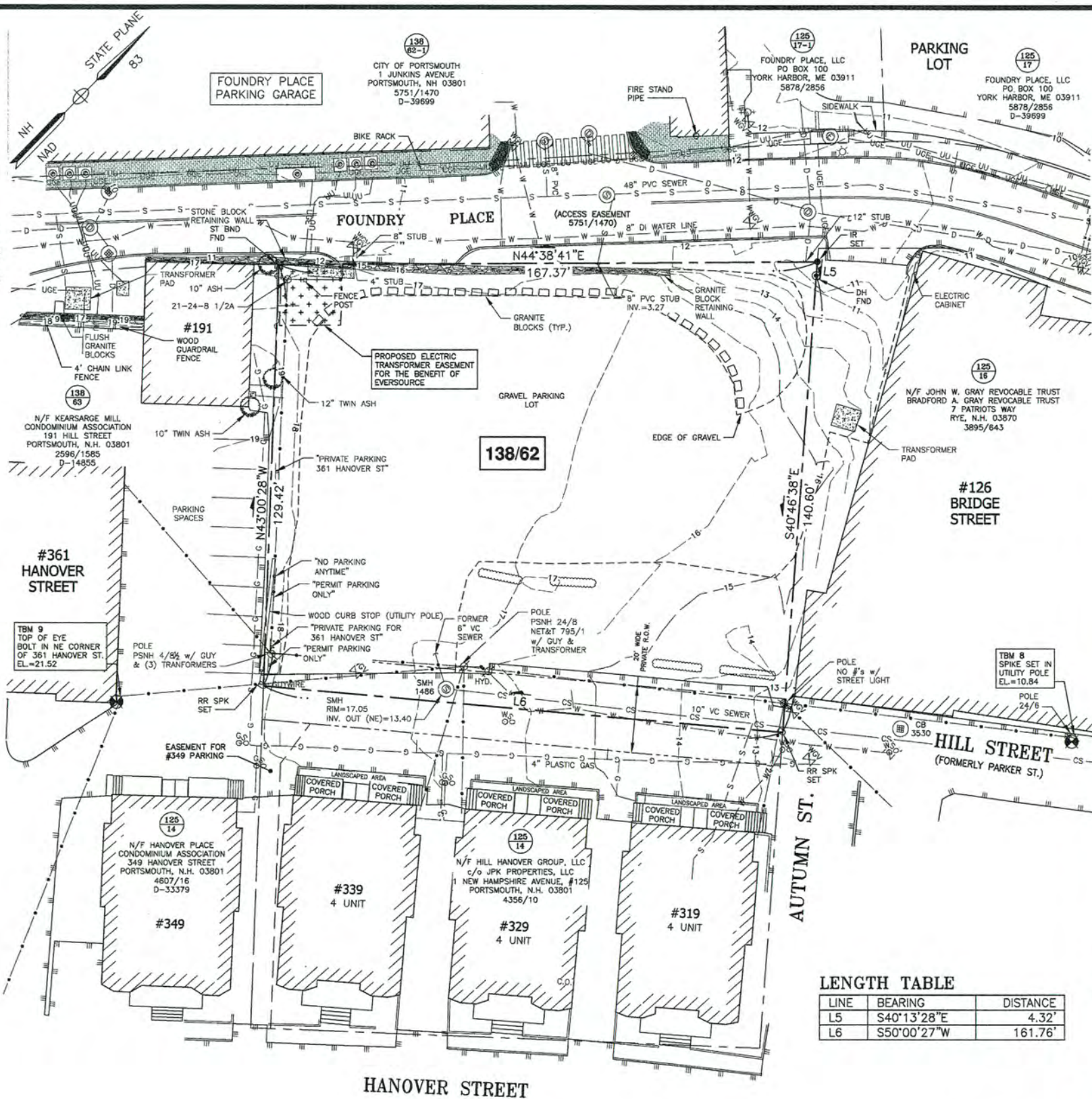
LEGEND:

N/F	NOW OR FORMERLY RECORD OF PROBATE	HYD	HYDRANT
RCRD	ROCKINGHAM COUNTY REGISTRY OF DEEDS MAP 11 / LOT 21	W/E	METER (GAS, WATER, ELECTRIC)
RR SPK FND	RAILROAD SPIKE FOUND/SET	CB	CATCH BASIN
IR FND	IRON ROD FOUND/SET	SMH	SEWER MANHOLE
IP FND	IRON PIPE FOUND/SET	DMH	DRAIN MANHOLE
DH FND	DRILL HOLE FOUND/SET	B-1	TEST BORING
CONC BND w/DH	CONCRETE BOUND w/ DRILL HOLE	AC	AIR CONDITIONER UNIT
ST BND w/DH	STONE BOUND w/DRILL HOLE	CI	ASBESTOS CEMENT PIPE
FM	FORCE MAIN	DI	CAST IRON PIPE
S	SEWER LINE	DI	DUCTILE IRON PIPE
G	GAS LINE	PVC	POLYVINYL CHLORIDE PIPE
D	STORM DRAIN	RCP	REINFORCED CONCRETE PIPE
W	WATER LINE	VC	VITRIFIED CLAY PIPE
UE	UNDERGROUND ELECTRIC	PP	PLASTIC PIPE
OE	OVERHEAD ELECTRIC/WIRES	EL	ELEVATION
CLF	CHAIN LINK FENCE	EP	EDGE OF PAVEMENT (EP)
C	CONTOUR	FF	FINISHED FLOOR
100	SPOT ELEVATION	INV	INVERT
97x3	EDGE OF PAVEMENT (EP)	TBM	TEMPORARY BENCHMARK
U	UTILITY POLE (w/ GUY)	TYP	TYPICAL
SO	SHUT OFF (GAS / WATER)	VGC/SQC	VERTICAL/SLOPED GRANITE CURB
GV	GATE VALVE	CCB	CAPE COD BERM
B	BOLLARD	AG	ABOVE GRADE

- EASEMENT AND RESTRICTION NOTES:**
- SUBJECT PARCEL IS SUBJECT TO A PARKING EASEMENT FOR THE BENEFIT OF TAX MAP 125 LOT 14. LOCATION IS NOT FIXED. SEE R.C.R.D. 5518/2747 & 5518/2759.
 - SUBJECT PARCEL IS SUBJECT TO A UTILITY EASEMENT TO THE CITY OF PORTSMOUTH. SEE R.C.R.D. 5518/2759.
 - SEE ALSO PARTIAL RELEASE OF PARKING RELOCATION RIGHTS, R.C.R.D. 5751/1463.
 - SEE ALSO TEMPORARY ENCROACHMENT EASEMENT DEED, R.C.R.D. 5751/1485.
 - SUBJECT PARCEL IS SUBJECT TO A PRIVATE RIGHT OF WAY.
 - PARCEL IS BENEFITED BY AN ACCESS EASEMENT AT R.C.R.D. 5751/1470.

PLAN REFERENCE:

1) CONSOLIDATION & SUBDIVISION PLAN TAX MAP 125, LOT 17 & TAX MAP 138, LOT 62 DEER STREET ASSOCIATES BRIDGE, DEER, & HILL STREETS CITY OF PORTSMOUTH COUNTY OF ROCKINGHAM STATE OF NEW HAMPSHIRE. PREPARED BY AMBIT ENGINEERING, INC. DATED JULY 2015, FINAL REVISION DATE MAY 18, 2016. R.C.R.D. PLAN D-39699.

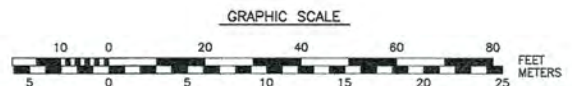


LENGTH TABLE

LINE	BEARING	DISTANCE
L5	S40°13'28"E	4.32'
L6	S50°00'27"W	161.76'

"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."

John R. Chagnon
 JOHN R. CHAGNON, LLS
 DATE 7-11-19



AMBIT ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 200 Griffin Road - Unit 3
 Portsmouth, N.H. 03801-7114
 Tel (603) 430-9292
 Fax (603) 436-2315

- NOTES:**
- PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 138 AS LOT 62.
 - OWNERS OF RECORD:
 FOUNDRY PLACE, LLC
 PO BOX 100
 YORK HARBOR, ME 03911
 5878/2856
 D-39699 - LOT 6
 - PARCEL IS NOT IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 330150295E, EFFECTIVE DATE MAY 17, 2005.
 - EXISTING LOT AREAS:
 22,538 S.F.
 0.5174 ACRES
 - PARCEL IS LOCATED IN THE CD5 CHARACTER BASED ZONING DISTRICT, DOWNTOWN OVERLAY & NORTH END INCENTIVE OVERLAY DISTRICTS.
 - DIMENSIONAL REQUIREMENTS:
 SEE ZONING ORDINANCE
 - THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON ASSESSOR'S MAP 138 LOT 62 IN THE CITY OF PORTSMOUTH.
 - HORIZONTAL DATUM AND BASIS OF BEARING IS NEW HAMPSHIRE STATE PLANE NAD83(2011). BASIS OF HORIZONTAL DATUM IS RTK GPS OBSERVATIONS.
 - VERTICAL DATUM IS MEAN SEA LEVEL-NAVD88. BASIS OF VERTICAL DATUM IS NGS PID 000290 - B 2 1923. ELEVATION 19.55.
 - THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.
 - UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.

**FOUNDRY PLACE, LLC
 LOT 6
 SITE DEVELOPMENT
 PORTSMOUTH, N.H.**

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	7/11/19



SCALE: 1" = 20' JULY 2019

EXISTING CONDITIONS PLAN X1



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors

200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

NOTES:

- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 138 AS LOT 62.
- 2) EXISTING LOT AREAS:
22,538 S.F.
0.5174 ACRES
- 3) VERTICAL DATUM IS MEAN SEA LEVEL-NAVD88. BASIS OF VERTICAL DATUM IS NGS PID 0C0290 - B 2 1923, ELEVATION 19.55.
- 4) THE PURPOSE OF THIS PLAN IS TO SHOW THE CALCULATION OF THE PROPOSED AVERAGE GRADE IN ACCORDANCE WITH THE CITY OF PORTSMOUTH DEFINITION.



**FOUNDRY PLACE, LLC
LOT 6 SITE
DEVELOPMENT
PORTSMOUTH, N.H.**

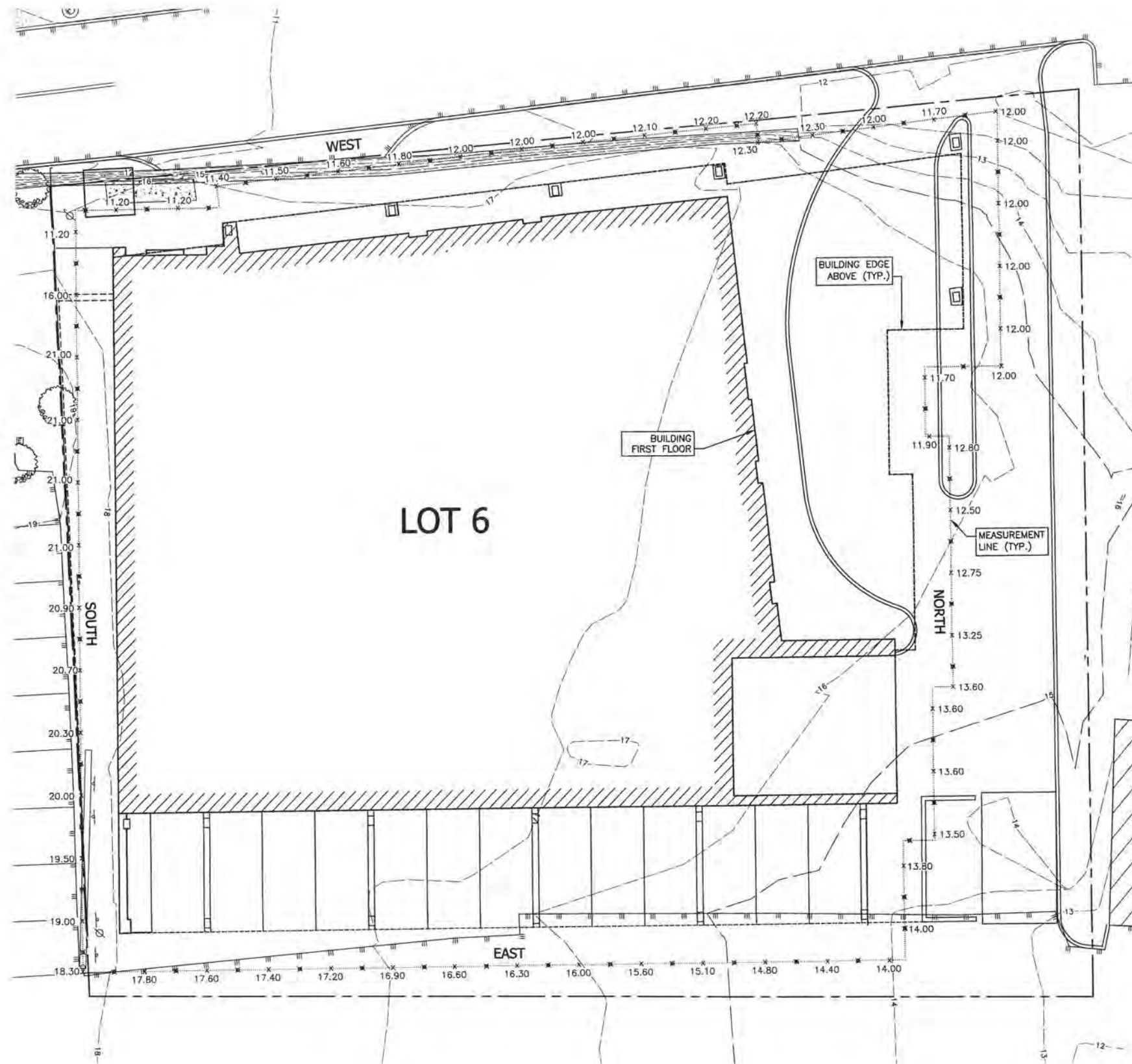
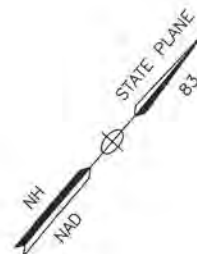
1	ISSUED FOR APPROVAL	7/30/19
0	ISSUED FOR COMMENT	7/2/19
NO.	DESCRIPTION	DATE
REVISIONS		



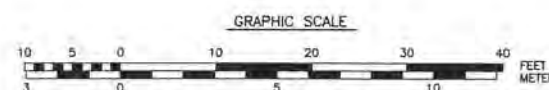
SCALE: 1" = 10' JULY 2019

**AVERAGE GRADE
PLANE PLAN**

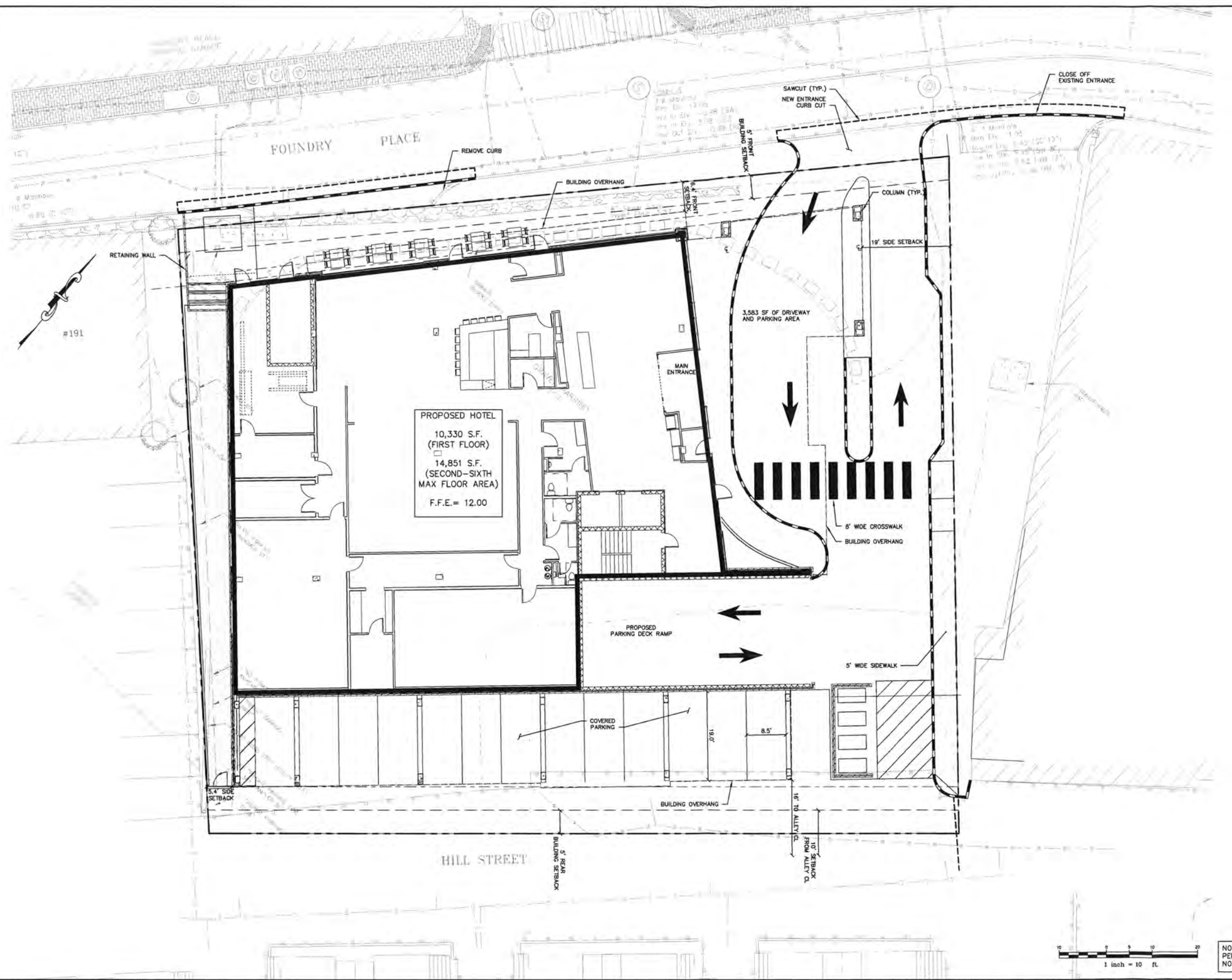
GP1



LOT 6



Average Grade Worksheet					
Project	Foundry Place Lot 6				Calculated
Address:	Foundry Place, Portsmouth, NH				7/29/2019
6' offset from Building; Prop Grades 5' OC					SUM ACROSS
SECTION	Elev	Elev	Elev	Elev	Total
SOUTH	18.3	18.8	19.0	19.2	75.3
	19.5	19.8	20.0	20.1	79.4
	20.3	20.5	20.7	20.8	82.3
	20.9	21.0	21.0	21.0	83.9
	21.0	21.0	21.0	21.0	84.0
	21.0	20.0	16.0	12.5	69.5
	0.0	0.0	0.0	0.0	0.0
			#	24.0	474.4
WEST	11.2	11.2	11.2	11.2	44.8
	11.2	11.4	11.4	11.5	45.5
	11.5	11.6	11.6	11.7	46.4
	11.7	11.8	11.9	12.0	47.4
	12.0	12.0	12.1	12.2	48.3
	12.2	12.2	12.3	12.3	49.0
	12.1	12.0	11.8	11.7	47.6
	11.9	12.0			23.9
			#	30.0	352.9
NORTH	14.0	14.0	14.0	13.9	55.9
	13.8	13.5	13.5	13.6	54.4
	13.6	13.6	13.4	13.2	53.8
	13.0	12.8	12.3	12.5	50.6
	12.6	12.8	11.9	11.8	49.1
	11.7	11.9	12.0	12.0	47.6
	12.0	12.0	12.0	12.0	48.0
	12.0	12.0	0.0	0.0	24.0
	0.0	0.0	0.0	0.0	0.0
				#	30.0
EAST	18.3	18.1	17.8	17.7	71.9
	17.6	17.5	17.4	17.3	69.8
	17.2	17.1	16.9	16.8	67.9
	16.6	16.5	16.3	16.2	65.5
	16.0	15.8	15.6	15.4	62.8
	15.1	15.0	14.8	14.6	59.5
	14.4	14.2	14.0	0.0	42.6
	0.0	0.0	0.0	0.0	0.0
	0.0	0.0	0.0	0.0	0.0
				#	27
Total	1,650.55	>			AVERAGE GRADE
#	111	>			14.87



tabbles

EXHIBIT
4

PROPOSED HOTEL
10,330 S.F.
(FIRST FLOOR)
14,851 S.F.
(SECOND-SIXTH
MAX FLOOR AREA)
F.F.E. = 12.00

NOTE: THIS PLAN SET IS ISSUED FOR PERMITTING PURPOSES AND SHALL NOT BE USED FOR CONSTRUCTION.

U:\3256.16 Deer Street Portsmouth Lot 6 Construction Docs\2 - CAD\DWG\3256.16-SP.dwg 7/31/2018 1:37 PM

Rev.	Date	Revision

Issued For	Date	By

Design: DG Draft: CEH Date: JUN 2019
Checked: DER Scale: 1"=10' Job No.: 3256.16
File Name: 3256.16-SP.dwg

This plan shall not be modified without written permission from Gorrill Palmer. Any alterations, authorized or otherwise, shall be at the user's sole risk and without liability to Gorrill Palmer.

GP GORRILL PALMER

Relationships. Responsiveness. Results.
www.gorrillpalmer.com
207.772.2515

Drawing Name:	Site Plan
Project:	Deer Street Redevelopment Lot 6 Portsmouth, New Hampshire
Client:	Deer Street Associates P.O. Box 100, York Harbor, Maine 03911

Drawing No.
C101

ZONING INFORMATION: CD5, DOWNTOWN OVERLAY

PARKING SUMMARY	
PARKING SUMMARY:	
<u>ZONING REQUIREMENT:</u>	
10.1115.20: 120 HOTEL ROOMS x .75:	90
10.1115.23: 4 SPACE REDUCTION:	86 REQUIRED
<u>PARKING PROVIDED:</u>	
HOTEL GARAGE:	54
MUNICIPAL GARAGE:	18 Parking Agreement with City of Portsmouth
HILL STREET SURFACE:	14
GRAND TOTAL:	86 SPACES
<u>PARKING VARIANCES:</u>	
- PARKING LEVEL IS 100% VALET	
- PARKING LEVEL UTILIZES PARKING LIFTS	
- SPACES 3/4 AND 5/6 ARE 9'-3" X 17'-5"	
- SPACES 19/20, 21/22, 23/24 ARE 8'-6" X 18'-0"	

10.5A46.10 INCENTIVE TO DEVELOPMENT		
STANDARD	NORTH END INCENTIVE	PROPOSED
MAXIMUM BUILDING COVERAGE	NO CHANGE	
MAXIMUM BUILDING FOOTPRINT	30,000 SF	
MAXIMUM BUILDING BLOCK LENGTH	NO CHANGE	
MINIMUM LOT AREA	NO CHANGE	
MINIMUM LOT AREA PER DWELLING	NO CHANGE	
MAXIMUM BUILDING HEIGHT	PLUS 1 STORY UP TO 10'	16 FOOT SIDEWALK, RESULTING IN 6 STORIES
-10' SIDEWALK PLUS 2' FOR EACH STORY		
MINIMUM GROUND STORY HEIGHT:	NO CHANGE	
MINIMUM OFF STREET PARKING	NO CHANGE	
GROUND STORY PARKING	PERMITTED WITH LINER BUILDING	
LOT 6 BASELINE ALLOWS 2-4 STORIES, 50 FEET HEIGHT		
<u>ACTUAL STORY AND HEIGHT:</u>		
16' SIDEWALK TO BE COMMUNITY SPACE, 6 STORIES		
50 FEET BUILDING HEIGHT + 10 ADDITIONAL FEET = 60 FEET FROM AVERAGE GRADE PLANE TO ROOF		

BUILDING SUMMARY		AREA	FOUNDRY ST SETBACK	HILL UTILITY EASEMENT
GROUND FLOOR	LOBBY/RESTAURANT	10,330 SF	16 FOOT SIDEWALK *	10 FEET
PARKING LEVEL	PARKING, BACK-OF-HOUSE	14,851 SF	> 6'-5", VARIES	10 FEET
SECOND LEVEL	HOTEL GUESTROOMS	13,963 SF	> 6'-5", VARIES	10 FEET
THIRD LEVEL	HOTEL GUESTROOMS	13,963 SF	> 6'-5", VARIES	10 FEET
FOURTH LEVEL	HOTEL GUESTROOMS	13,963 SF	> 6'-5", VARIES	10 FEET
FIFTH LEVEL	HOTEL GUESTROOMS	13,888 SF	> 6'-5", VARIES	10 FEET
		80,958 SF TOTAL		

* 16 FOOT SIDEWALK TO BE COMMUNITY SPACE

CD5 ZONING REQUIREMENTS		
	CODE	PROPOSED
MAXIMUM PRINCIPAL FRONT YARD:	5 Feet	>6'-5", VARIES 16' setback from Curb for Community Space Use
MAXIMUM SECONDARY FRONT YARD:	5 Feet	See above
SIDE YARD:	NR	5.4 Feet
MINIMUM YEAR YARD:	10 Feet	16 Feet, (10' Utility easement)
MINIMUM FRONT LOT LINE BUILDOUT:	80%	82%
167'-3 7/8"x.8=	133'-8"	137'-7 1/2"
MAXIMUM BUILDING BLOCK LENGTH	225'	167'-3 7/8"
MAXIMUM FACADE MODULATION:	100'	80'-0"
MAXIMUM ENTRANCE SPACING:	50'	35'
MAXIMUM BUILDING COVERAGE:	95%	65%
22,536.19 SFx.95=	21,409.38 SF	14,851 SF (2nd Floor)
MAXIMUM BUILDING FOOTPRINT:	20,000 SF	14,851 SF (2nd Floor)
MINIMUM LOT AREA:	NR	
MINIMUM LOT AREA PER DWELLING:	NR	
MINIMUM OPEN SPACE:	5%	6%
22,536.19 SF x.05=	1,126.80 SF	1,450 SF
MAXIMUM GROUND FLOOR GFA PER USE:	15,000 SF	10,330 SF
BUILDING HEIGHT:	60 FEET	60 FEET
MAXIMUM FINISHED FLOOR SURFACE OF GROUND FLOOR ABOVE SIDEWALK:	3 FEET	11 inches
MINIMUM GROUND STORY HEIGHT:	12 FEET	13'-0"
MINIMUM SECOND STORY HEIGHT:	10 FEET	12'-8"
FACADE GLAZING:		
SHOPFRONT FACADE:	70%	70%
OTHER FACADE TYPE:	20-50%	30%
ROOF TYPE:	FLAT	FLAT
ROOF PITCH, IF ANY:	FLAT	FLAT
TOTAL LIGHT OUTPUT ALLOWANCE		
10.1143.10 MAX MEAN LUMENS/NET ACRE:300,000		TBD

FOUNDRY PLACE CAMBRIA HOTEL

LOT 6

Legat Architects

2015 SPRING ROAD
OAK BROOK,
P: xxx.xxx.xxxx
F: xxx.xxx.xxxx
www.legat.com



ZONING CHARTS

PROJECT NO. 219090.00
DATE OF ISSUE 07.30.19

A000

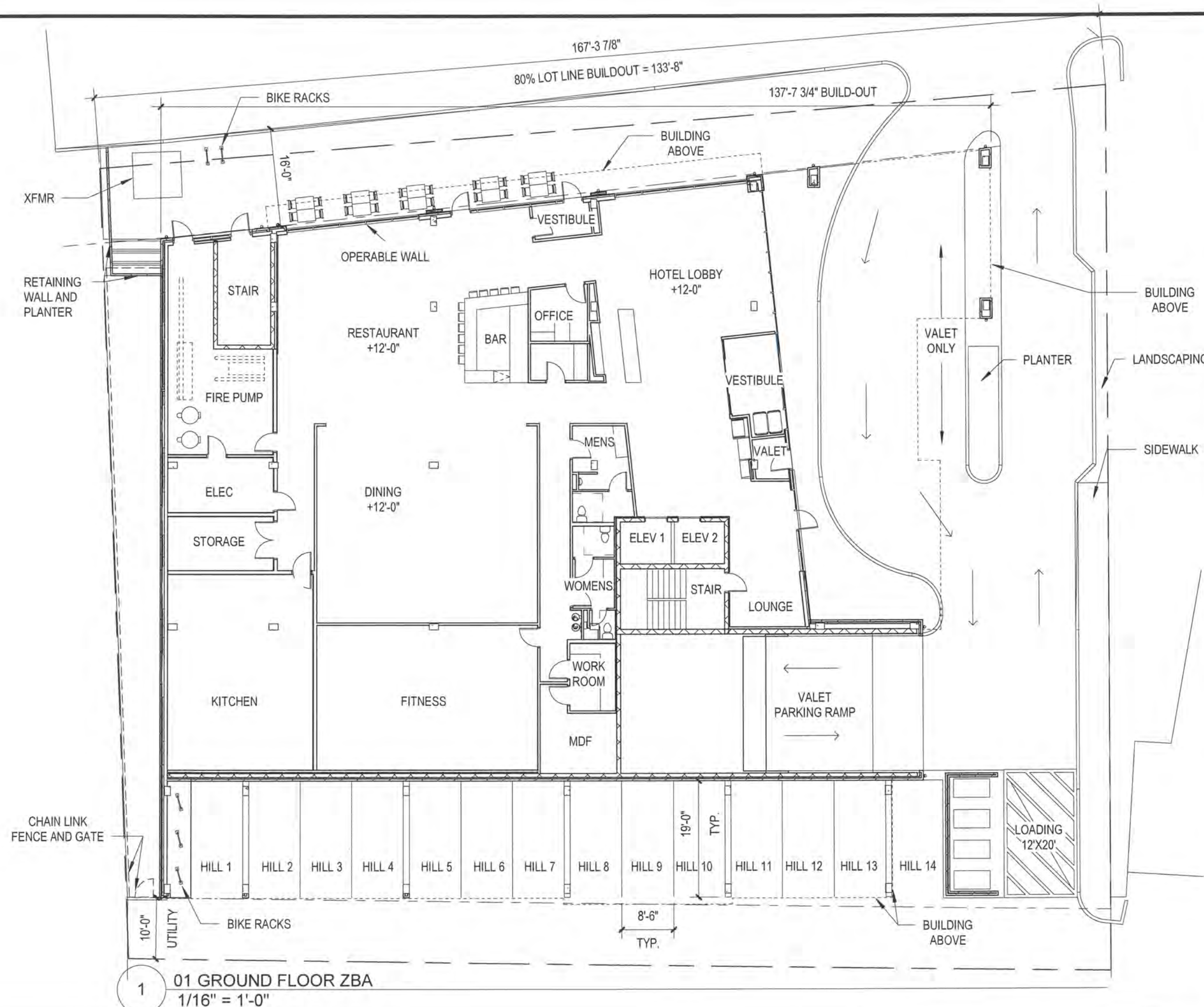
FOUNDRY PLACE

CAMBRIA HOTEL

LOT 6

Legat Architects

2015 SPRING ROAD
 OAK BROOK,
 P: xxx.xxx.xxxx
 F: xxx.xxx.xxxx
 www.legat.com



1/16" = 1'-0"



GROUND FLOOR PLAN

PROJECT NO. 219090.00
 DATE OF ISSUE 07.30.19

A101

1 01 GROUND FLOOR ZBA
 1/16" = 1'-0"

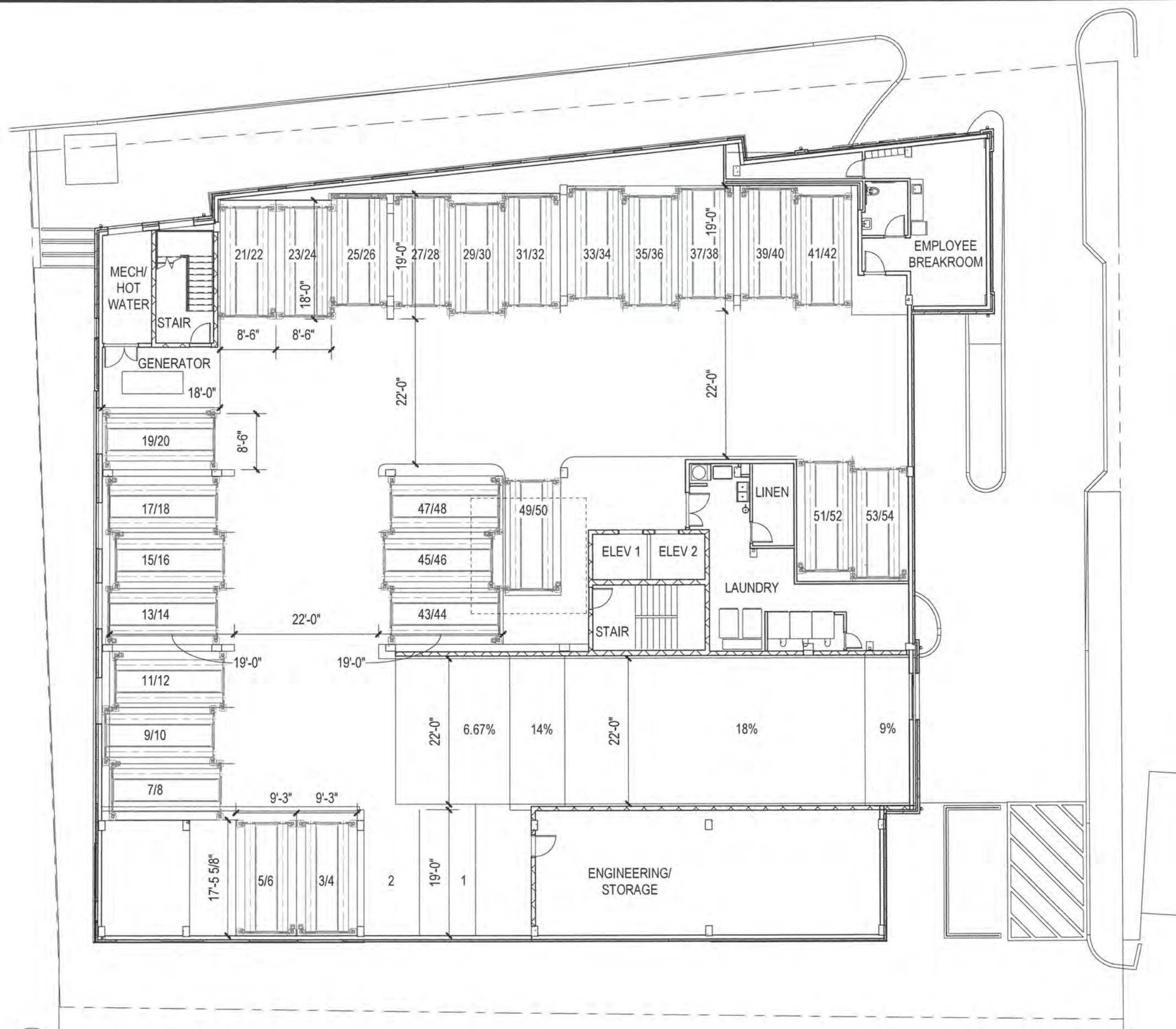
FOUNDRY PLACE

CAMBRIA HOTEL



LOT 6

Legat Architects

2015 SPRING ROAD
 OAK BROOK,
 P: xxx.xxx.xxxx
 F: xxx.xxx.xxxx
 www.legat.com



1 PARKING LEVEL PLAN
 1/16" = 1'-0"

1/16" = 1'-0"  
 PLAN TRUE

SECOND FLOOR PLAN

PROJECT NO. 219090.00
 DATE OF ISSUE 07.30.19

A102

FOUNDRY
PLACE

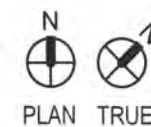
CAMBRIA
HOTEL

LOT 6

Legat Architects

2015 SPRING ROAD
OAK BROOK,
P: xxx.xxx.xxxx
F: xxx.xxx.xxxx
www.legat.com

1/16" = 1'-0"



TYPICAL FLOOR PLAN

PROJECT NO. 219090.00
DATE OF ISSUE 07.30.19

A103



1 THIRD FLOOR PLAN
1/16" = 1'-0"

FOUNDRY
PLACE

**CAMBRIA
HOTEL**



LOT 6

Legat Architects

2015 SPRING ROAD
OAK BROOK,
P: xxx.xxx.xxxx
F: xxx.xxx.xxxx
www.legat.com



1 NORTH BUILDING ELEVATION
1/16" = 1'-0"

1/16" = 1'-0"  
PLAN TRUE

NORTH ELEVATION

PROJECT NO. 219090.00
DATE OF ISSUE 07.30.19

A200

FOUNDRY
 PLACE

**CAMBRIA
 HOTEL**



LOT 6

Legat Architects

2015 SPRING ROAD
 OAK BROOK,
 P: xxx.xxx.xxxx
 F: xxx.xxx.xxxx
 www.legat.com



1 BUILDING ELEVATION - EAST
 1/16" = 1'-0"

1/16" = 1'-0"  
 PLAN TRUE

EAST ELEVATION

PROJECT NO. 219090.00
 DATE OF ISSUE 07.30.19

A201

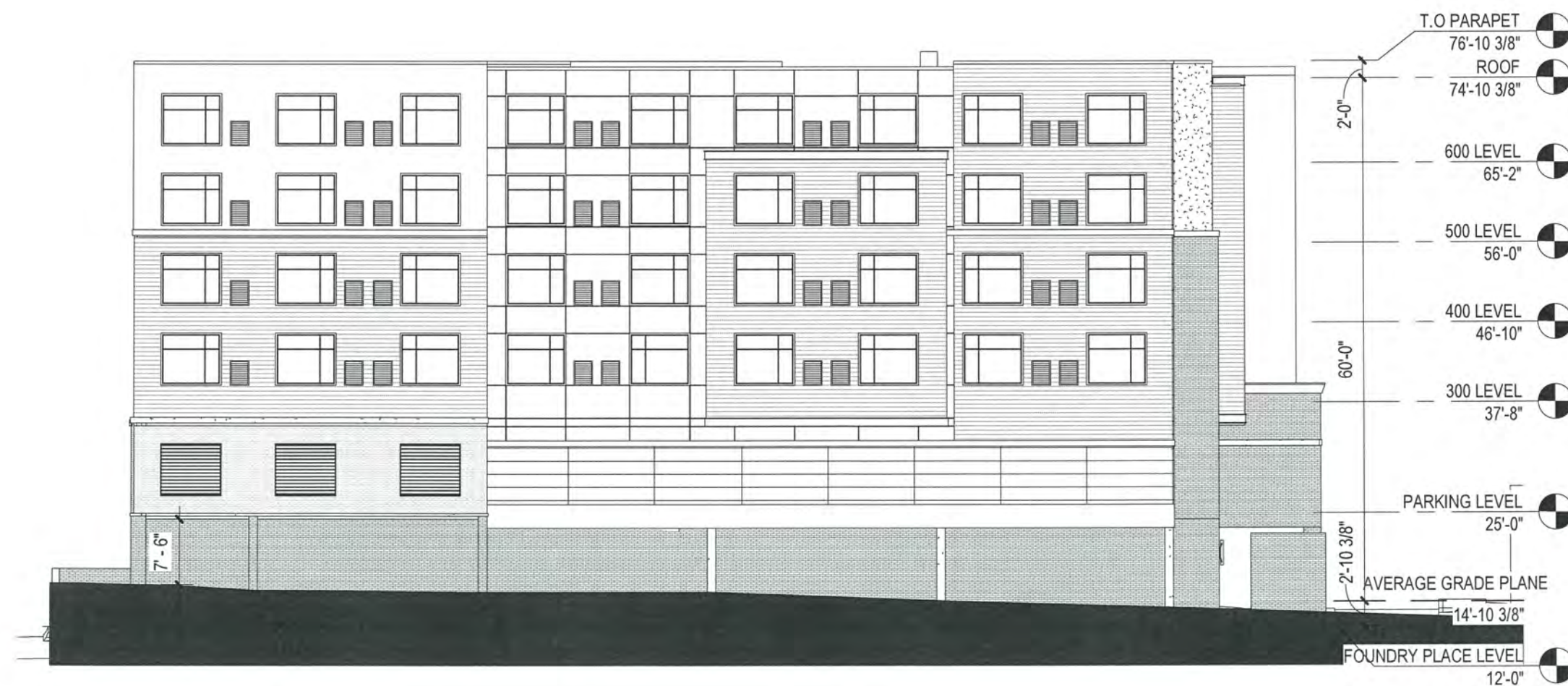
FOUNDRY
 PLACE



**CAMBRIA
 HOTEL**

LOT 6

Legat Architects

2015 SPRING ROAD
 OAK BROOK,
 P: xxx.xxx.xxxx
 F: xxx.xxx.xxxx
 www.legat.com



1/16" = 1'-0"  
 PLAN TRUE

SOUTH ELEVATION

PROJECT NO. 219090.00
 DATE OF ISSUE 07.30.19

A202

1 BUILDING ELEVATION - SOUTH
 1/16" = 1'-0"

FOUNDRY
PLACE

**CAMBRIA
HOTEL**



LOT 6

Legat Architects

2015 SPRING ROAD
OAK BROOK,
P: xxx.xxx.xxxx
F: xxx.xxx.xxxx
www.legat.com



1 **BUILDING ELEVATION - WEST**
1/16" = 1'-0"

1/16" = 1'-0"  
PLAN TRUE

WEST ELEVATION

PROJECT NO. 219090.00
DATE OF ISSUE 07.30.19

A203

FOUNDRY
PLACE

CAMBRIA
HOTEL

LOT 6

Legat Architects

2015 SPRING ROAD
OAK BROOK,
P: xxx.xxx.xxxx
F: xxx.xxx.xxxx
www.legat.com



1 NORTHEAST PERSPECTIVE



PERSPECTIVE VIEWS

PROJECT NO. 219090.00
DATE OF ISSUE 07.30.19

A204

DO NOT SCALE
ALL DIMENSIONS IN INCHES

black, red, grey
standard colors

10 LOCKING POSITIONS

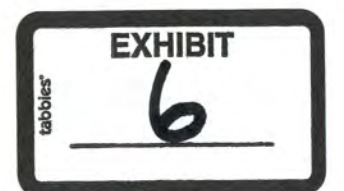
can add drilled holes for pin to limit height

8' power cord,
or can be direct wire. 220V draws
10 amps (2 horsepower). also
have 110V unit (1 horsepower).
10 second time difference. \$9,000
savings.

220V HYDRAULIC UNIT
W/ 8FT CORD

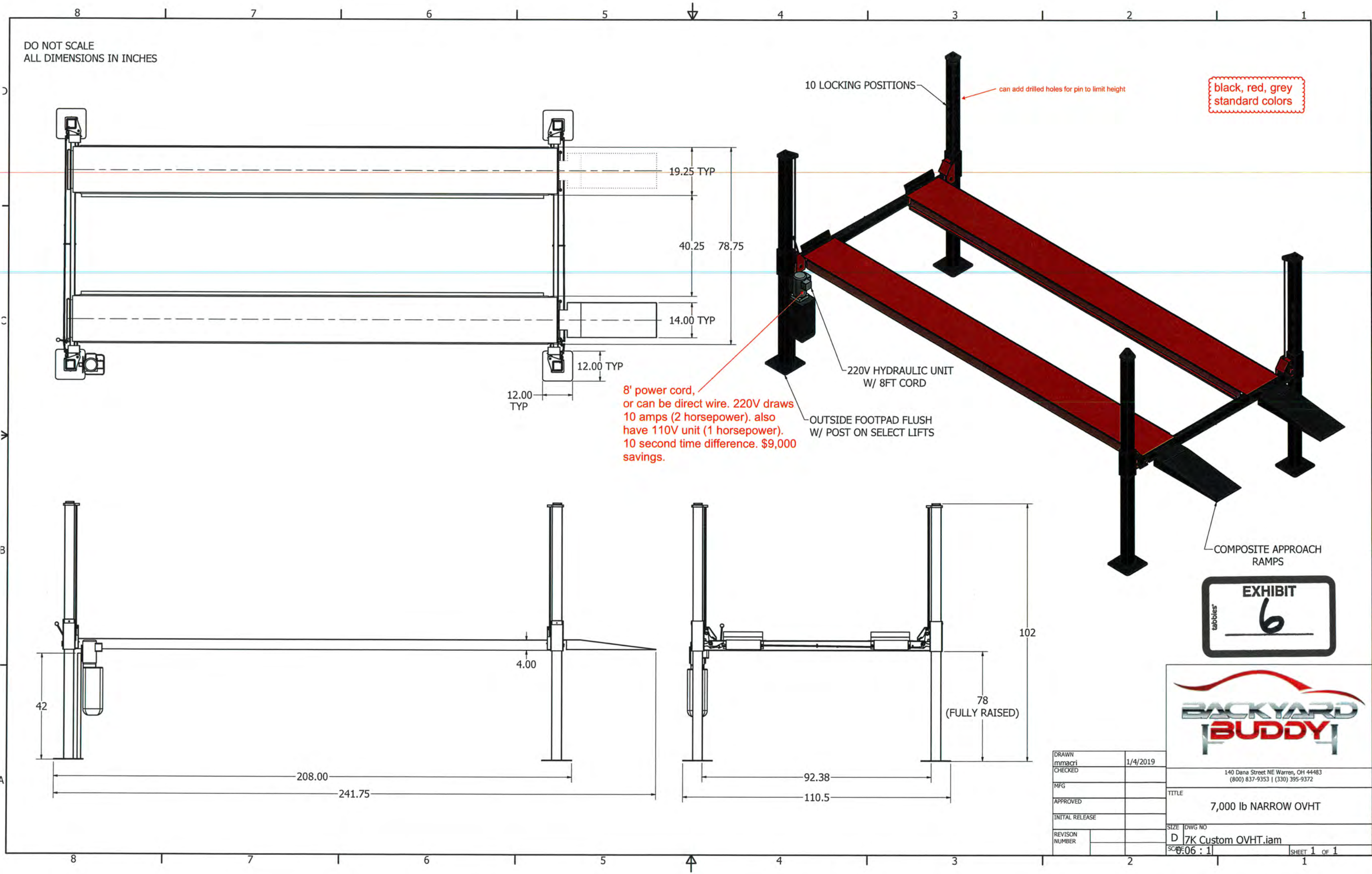
OUTSIDE FOOTPAD FLUSH
W/ POST ON SELECT LIFTS

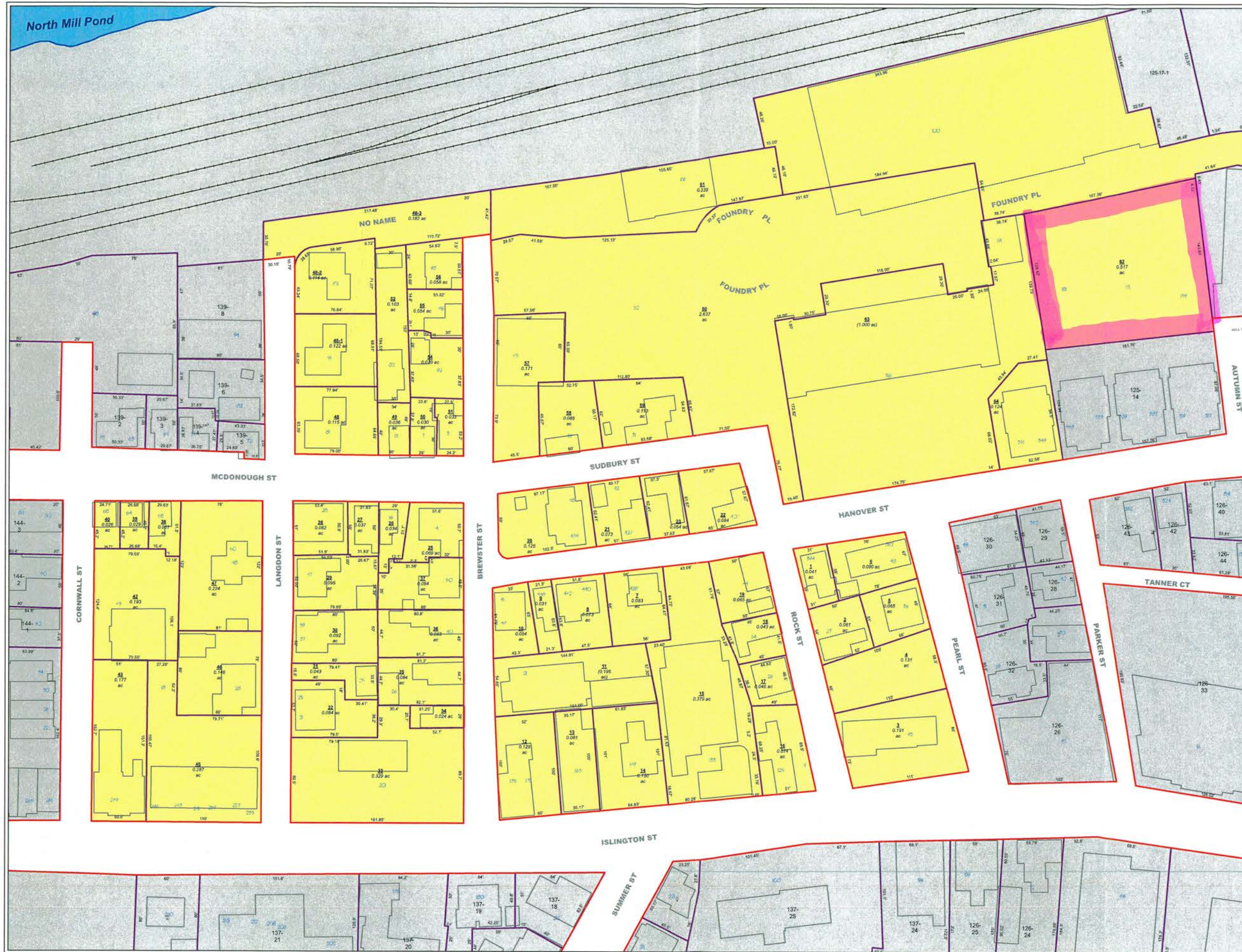
COMPOSITE APPROACH
RAMPS



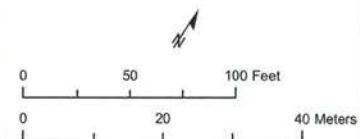
DRAWN	mmacri	1/4/2019
CHECKED		
MFG		
APPROVED		
INITIAL RELEASE		
REVISION NUMBER		

140 Dana Street NE Warren, OH 44483 (800) 837-9353 (330) 395-9372	
TITLE	7,000 lb NARROW OVHT
SIZE DWG NO	D 7K Custom OVHT.iam
SCALE	1:1
SHEET 1 OF 1	





- Partial Legend**
See the cover sheet for the complete legend.
- 7-5A Lot or lot-unit number
 - 2.56 ac Parcel area in acres (ac) or square feet (sf)
 - 233 Address number
 - 233-137 Parcel number from a neighboring map
 - 68' Parcel line dimension
 - SIMS AVE Street name
 - Parcel/Parcel boundary
 - Parcel/ROW boundary
 - Water boundary
 - Structure (1994 data)
 - Parcel covered by this map
 - Parcel from a neighboring map (see other map for current status)



Portsmouth, New Hampshire
2018
Tax Map 138