

Findings of Fact | Outdoor Dining Conditional Use Permit

City of Portsmouth Planning Board

Date: March 21, 2024

Property Address: 999 Islington Street

Application #: LU-24-14

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.

Outdoor Dining Conditional Use Permit

10.242.10 The Planning Board may grant a conditional use permit if the application is found to be in compliance with the general criteria in Section 10.243 or, if applicable, the specific standards or criteria set forth in this Ordinance for the particular use or activity.

	Outdoor Dining Conditional Use Permit 10.243 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
1	10.243.21 The design of proposed structures, their height and scale in relation to the site's surroundings, the nature and intensity of the proposed use or activity, and the layout and design of the site will be compatible with adjacent and nearby properties, buildings and uses, will complement or enhance the character of surrounding development, and will encourage the appropriate and orderly development and use of land and buildings in the surrounding area.	Meets Does Not Meet	<ul style="list-style-type: none"> Applicant is proposing color coordinated furniture to use in the space. The layout will be compatible with adjacent properties and the design will complement and enhance the character of surrounding development. Planter boxes will be used to enhance curb appeal.
2	10.243.22 All necessary public and private utility infrastructure and services will be available and adequate to serve the	Meets Does Not Meet	<ul style="list-style-type: none"> The indoor facilities will be open and available to all patrons of the proposed patio. The existing building is currently served by

	Outdoor Dining Conditional Use Permit 10.243 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
	proposed use.		existing utilities.
3	10.243.23 The site and surrounding streets will have adequate vehicular and pedestrian infrastructure to serve the proposed use consistent with the City's Master Plan.	Meets Does Not Meet	<ul style="list-style-type: none"> The site and surrounding streets will have more than adequate vehicular and pedestrian infrastructure to serve the proposed use consistent with the City's Master Plan. The proposed patio will utilize the existing brick inlaid patio that abuts the building. This still leaves the 60" walking patio wide open and available to the public. Along with the additional 43" brick addition available to the public that abuts the actual curb of Islington St.
4	10.243.24 The proposed structures, uses, or activities will not have significant adverse impacts on abutting and surrounding properties on account of traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.	Meets Does Not Meet	The proposal will not have an impact on the surrounding properties. The area will mostly cater to adults and will not have late hours of operation. The property is located among other commercial properties who are not open late. All design elements of current interior space have been made with the surrounding area in mind to add value to the west end of Portsmouth.
5	10.243.25 The proposed structures and uses will not have significant adverse impacts on natural or scenic resources surrounding the site, including wetlands, floodplains, and significant wildlife habitat.	Meets Does Not Meet	No construction proposed. The patio is already inlaid in brick.
6	10.243.26 The proposed use will not cause or contribute to a significant decline in property values of adjacent properties.	Meets Does Not Meet	The addition of this space will benefit the area and west end by adding an aesthetic value to the area.
6	<u>Other Board Findings:</u>		

	Outdoor Dining Conditional Use Permit 10.243 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
7	<u>Additional Conditions of Approval:</u>		

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10.243.21 The design of our patio furniture will be of a standard height and scale in relation to the site's surroundings.

We are proposing 3x - 31"X63" tables along the Islington St. wall of the existing building (999 *Islington St. Portsmouth NH*). Along with two lounge style patio sets that will be 78"X42". All dark grey and black in coloring.

The nature and use of the proposed furniture will just be standard food and beverage service from the hours of 11am till 8pm. The layout and design of the site will be compatible with adjacent and nearby properties, buildings and uses, we feel that the design will complement and enhance the character of surrounding development and will encourage the appropriate and orderly development and use of land and buildings in the surrounding area.

We plan on using planter boxes in staged areas to enhance the curb appeal of the corner and add to the beatification of the existing property and area.

10.243.22 All necessary public and private utility infrastructure and services will be available and adequate to serve the proposed use. Our indoor faculties will be completely open and available to all patrons of the proposed patio.

10.243.23 The site and surrounding streets will have more than adequate vehicular and pedestrian infrastructure to serve the proposed use consistent with the City's Master Plan. We are only looking to use the interior brick inlaid patio that abuts the actual building. This still leaves the 60" walking patio wide open and available to the public. Along with the additional 43" brick addition available to the public that abuts the actual curb of Islington St.

10.243.24 The proposed structures, uses, or activities will not have significant adverse impacts on abutting and surrounding properties on account of traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.

-No, we don't feel that will have much of an impact on the surrounding properties whatsoever. We mostly cater to adults in the area, and don't keep late "*bar*" hours. We are fully incased in commercial properties who don't keep night operational availability hours. All design elements of current interior space have been made with the surrounding area in mind to add value to the west end of Portsmouth, we plan on staying consistent in that mindset with our exterior space.

10.243.25 The proposed structures and uses will not have significant adverse impacts on natural or scenic resources surrounding the site, including wetlands, floodplains, and significant wildlife habitat.

-No, the proposed space is already fully inlaid in brick, and no construction whatsoever is needed.

10.243.26 The proposed use will not cause or contribute to a significant decline in property values of adjacent properties.

-No, we feel that the addition of this space will greatly benefit the area and west end. By adding an aesthetic value to the area and allow for a greater draw for residents of the area!

Brick extended curb before road.

Sidewalk

156"

Rope Barrier

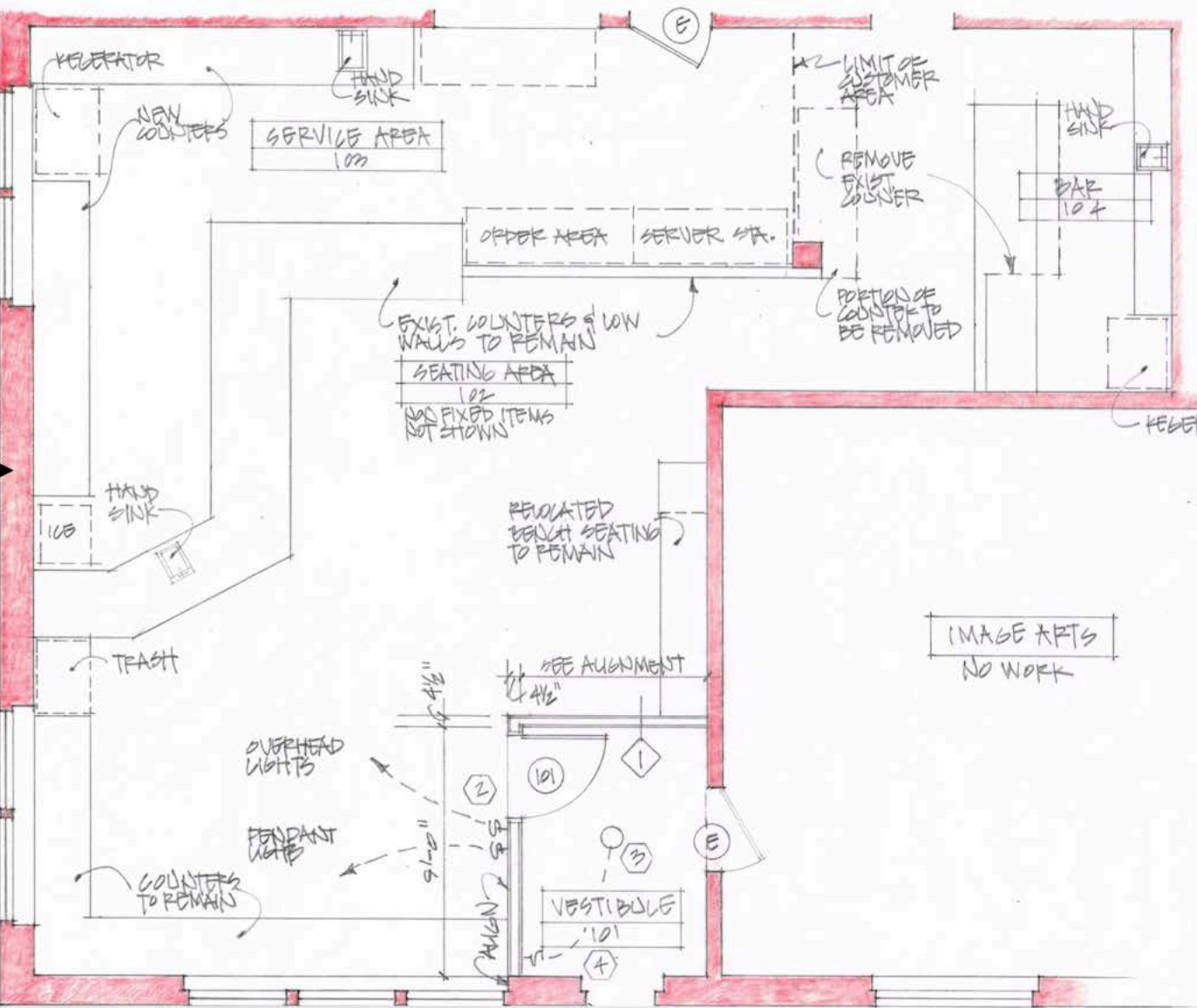
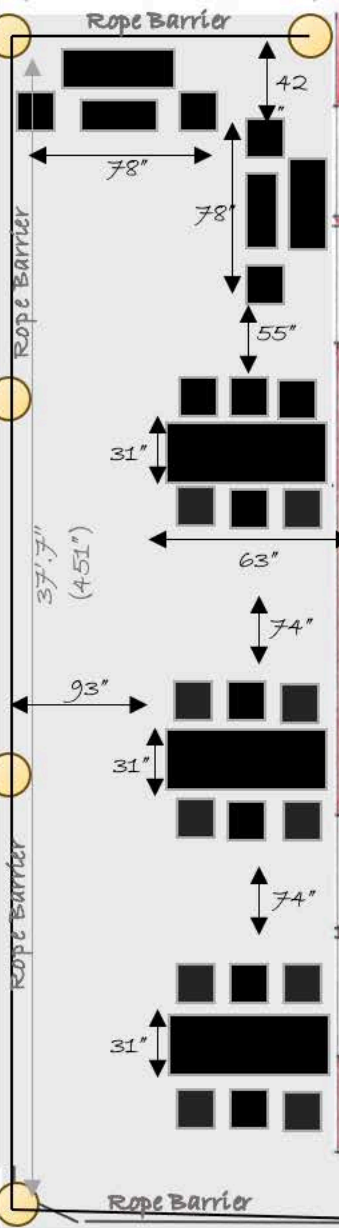


IMAGE ARTS
NO WORK

Handicap Ramp

Railing in Front of Building

● = Planters with post for rope barrier



Image Arts Etc.







Image Arts Etc.

999



Millport
1001 ISLINGTON
FORM
973
theatre project

