

# Findings of Fact | Parking Conditional Use Permit

## City of Portsmouth Planning Board

Date: January 22, 2026

Property Address: 14 Market Square

Application #: 25-142

Decision: ☐ Approve ☐ Deny ☐ Approve with Conditions

### Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, I now reads as follows: 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 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	The proposed change of use results in an overall reduction in parking demand for the site and introduces no increased parking impacts to the site or area. The new proposed use brings the required parking at the site into greater conformance with the parking requirements. While the added dwelling units represent an expanded use of residential on the site (requiring 4 spaces), the office space parking needs are being reduced. The TAC Committee reviewed the application.
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	Meets  Does Not Meet	The property is in Market Square where there is on-street parking in the vicinity. There are additional private spaces within walking distance that provide additional parking, if necessary. The property is close to the High- Hanover Public Parking Garage.

	<b>Parking Conditional Use Permit 10.1112.14 Requirements</b>	<b>Finding (Meets Criteria/Requirement)</b>	<b>Supporting Information</b>
	rideshare/microtransit services 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.		The property has easy pedestrian and bicycle access to a variety of services and attractions in the Downtown. The COAST Bus stop is 200 feet +/- away. Bicycle Racks are being provided.
<b>3</b>	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.	<b>Meets Does Not Meet</b>	The proposed change of use results in an overall reduction in parking demand for the site and introduces no increased parking impacts to the site or area. The property is 450 feet from the High Hanover Parking Garage. We submit that garage parking is available to tenants and this should satisfy the demand. The parking demand analysis indicates a peak period demand reduction of 8 parking spaces.
<b>4</b>	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.	<b>Meets Does Not Meet</b>	The site has always operated without the benefit of full on-site parking and has no location on site to provide the required parking. Due to the nature of this particular request, where no parking is provided since the site is completely occupied by the building, this section is not applicable to this project. Also, residential parking demand is highest at night when the daytime downtown uses have closed for the day.
<b>5</b>	<b><u>Other Board Findings:</u></b>		
<b>6</b>	<b><u>Additional Conditions of Approval:</u></b>		



HALEY WARD

200 Griffin Road, Unit 14, Portsmouth, NH 03801  
Phone (603) 430-9282

31 December 2025

Rick Chellman, Planning Board Chair  
City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801

**RE: Application for Parking Conditional Use Permit (CUP) Approval, Tax Map 107, Lot 29, 14 Market Square**

Dear Chair Chellman and Planning Board members:

On behalf of John Galt, LLC and McNabb Properties Ltd., we hereby apply for a **Parking Conditional Use Permit (CUP)** at the site to convert some of the office use to residential use and ask that we be placed on the agenda for your **January 22, 2025 Planning Board Meeting**. Please find the following information in support of this request. The property is shown on the City of Portsmouth Assessors Map 107, Lot 29, and is located at 14 Market Square, with frontage on Daniel and Pleasant Streets, and is within the City of Portsmouth Character District 5 (CD5) and Historic (HDC) and Downtown Overlay (DOD) Zoning Districts. The site is currently fully developed with an existing building built out to the lot lines. This project was previously approved by the HDC, Technical Advisory Committee (TAC), and Planning Board for office, and then coliving occupancies. A building permit is active for renovating the second and third floor office spaces, and adding a small roof deck, penthouse for access to roof deck, and a mechanical platform at the rear roof.

This revision to the project goes back to the existing state and adds seven dwelling units to the site, and eliminates 9,212 square feet of office use. The Parking Demand calculation (attached) shows the peak parking demand will decrease by 8 spaces under this revision. The required parking under the Portsmouth Ordinance (calculation attached) is 4 spaces, down from the 12 spaces required for the office use. Since no parking is being provided on site, this request is to provide zero (0) parking spaces where four (4) spaces are required. The project received an approval recommendation at the December 2, 2025 TAC meeting, subject to the addition of 4 bicycle spaces in the project, which has been addressed in this submission.

Project Overview

This proposal involves revisions to the plans changing the existing office use to seven apartments at the second and third floors. No changes are proposed at the first-floor restaurant space. The basement space is revised to support a four-space bicycle storage area for the residential units.

Parking Demand

A parking demand analysis is attached, demonstrating this proposed change of use from office to residential apartments resulting in a decrease in parking demand. Portsmouth Zoning Ordinance (PZO) parking space calculations are provided, as well as an exhibit showing proximity to the parking garage.

We submit that the application conforms to the Portsmouth Ordinance Sections, repeated below with comments in **bold** text, as follows:

Section 10.1112.141: An application for a conditional use permit under this section shall include a parking demand analysis demonstrating that the proposed number of off-street parking spaces is sufficient for the proposed use. **The attached Parking Demand Analysis shows that the proposed improvements will decrease the parking demand at the property.**

Section 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/micro transit services or bike share 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. **The attached Parking Demand Analysis shows that the proposed change of use will decrease the parking demand at the property.**

Section 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. **The property is 450 feet from the High Hanover Parking Garage. We submit that garage parking is available to tenants and should satisfy the demand.**

Section 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. **Due to the nature of this particular request, where no parking is provided since the site is completely occupied by the building, this section is not applicable to this project.**

The renovation will reduce the intensity of the required parking for the property with the change to residential units. The proposed renovation will result in a decreased demand for parking over the current building use and configuration. Denial of the Parking CUP would present a hardship for the applicant. Since the use revision reduces parking demand, a stated goal of the PZO, the request is reasonable. Therefore, we ask that the Planning Board grant the Parking CUP, finding that the reduction in the parking demand conforms to the intent of the ordinance provisions. Thank you for your time and attention to this proposal.

Sincerely,



John R. Chagnon, PE

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HALEY WARD

200 Griffin Road, Unit 14, Portsmouth, NH 03801  
Phone (603) 430-9282

18 November, 2025

**Proposed Parking Demand  
Building Revision  
14 Market Square  
Portsmouth, NH**

The purpose of this calculation is to identify the existing and proposed parking demand expected to be generated by the proposed building revision of the upper floors at 14 Market Square. Currently the three-story building has office use on the upper floors. The proposal is to convert the space to residential units. This results in a decreased parking demand.

In developing the expected Parking Demand, we considered the standard Parking Demand rates and equations published in the Institute of Transportation Engineers (ITE) Parking Generation Manual. The land use category that best correlates with the existing and proposed uses are Small Office Building (ITE Land Use Code 712) and Multifamily Housing (Low Rise) (ITE Land Use Code 220). The parking demand, based upon the office square footage and the number of dwelling units in the building is summarized below for the **Average Peak Period of Parking Demand:**

Parking Demand Summary - EXISTING

Peak Period of Demand

Small Office Building (1.85 vehicles per 1,000 SF GFA)       $1.85 \times 9.212 \text{ KSF} = 17.0 \text{ vehicles}$

Total Parking Spaces required      17 vehicles

Parking Demand Summary - PROPOSED

Peak Period of Demand

Multifamily Housing (Low Rise) (1.21 vehicles per unit)       $1.21 \times 7 \text{ units} = 8.5 \text{ vehicles}$

Total Parking Spaces required      9 vehicles

**Based on the calculation there is an anticipated decrease in parking demand with the renovation project.** Please feel free to call if you have any questions or comments.

Sincerely,

John R. Chagnon, PE

# Land Use: 712 Small Office Building

## Description

A small office building is the same as a general office building (Land Use 710) but with less than or equal to 10,000 square feet of gross floor area. The building is a location where affairs of a business, commercial or industrial organization, or professional person or firm are conducted. Specialty trade contractor (Land Use 180) is a related use.

## Time-of-Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 18 study sites in a general urban/suburban setting.

Hour Beginning	Percent of Weekday Peak Parking Demand
12:00–4:00 a.m.	—
5:00 a.m.	—
6:00 a.m.	—
7:00 a.m.	—
8:00 a.m.	22
9:00 a.m.	66
10:00 a.m.	89
11:00 a.m.	100
12:00 p.m.	87
1:00 p.m.	77
2:00 p.m.	79
3:00 p.m.	84
4:00 p.m.	84
5:00 p.m.	71
6:00 p.m.	16
7:00 p.m.	—
8:00 p.m.	—
9:00 p.m.	—
10:00 p.m.	—
11:00 p.m.	—

## **Additional Data**

For the 23 study sites with parking supply information and located in a general urban/suburban setting, the average parking supply ratio is 4.2 spaces per 1,000 square feet GFA. At these sites, the average peak parking occupancy is 45 percent.

The sites were surveyed in the 1990s, the 2010s, and the 2020s in California, Maine, Michigan, Pennsylvania, Texas, and Washington.

## **Source Numbers**

217, 527, 571, 572, 607, 620, 633, 634

## Small Office Building (712)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

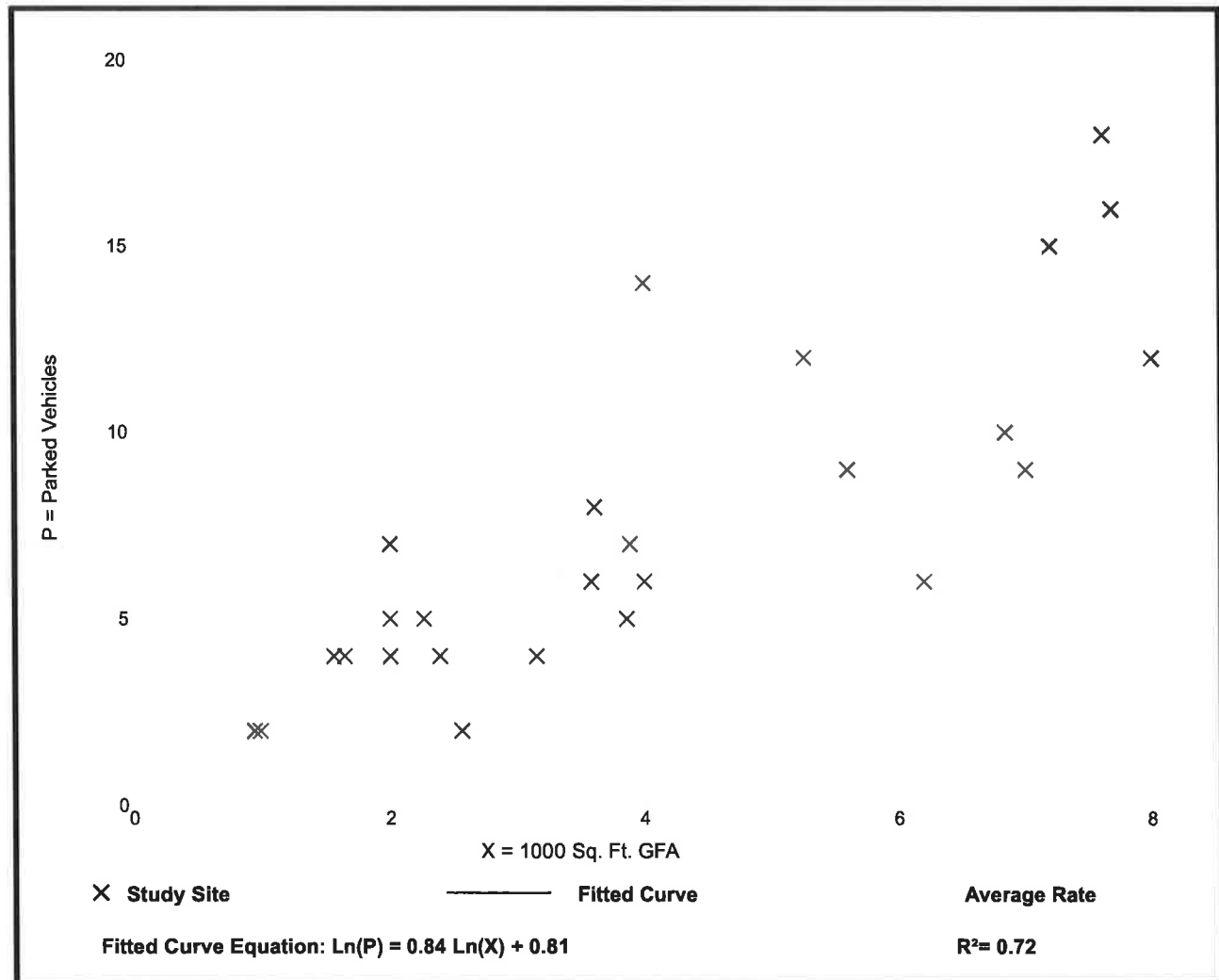
Number of Studies: 26

Avg. 1000 Sq. Ft. GFA: 4.0

### Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.85	0.78 - 3.50	1.60 / 2.50	1.61 - 2.09	0.62 (34%)

### Data Plot and Equation



Parking Generation Manual, 6th Edition • Institute of Transportation Engineers

## Land Use: 220 Multifamily Housing (Low-Rise)

### Description

Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with one or two levels (floors) of residence. Multifamily housing (mid-rise) (Land Use 221), multifamily housing (high-rise) (Land Use 222), and affordable housing (Land Use 223) are related land uses.

### Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand (1) on a weekday (10 study sites) and a Saturday (11 study sites) in a general urban/suburban setting and (2) on a weekday (three study sites) and a Saturday (three study sites) in a dense multi-use urban setting.

Hour Beginning	Percent of Peak Parking Demand			
	General Urban/Suburban		Dense Multi-Use Urban	
	Weekday	Saturday	Weekday	Saturday
12:00–4:00 a.m.	100	93	86	100
5:00 a.m.	97	100	100	94
6:00 a.m.	90	98	94	91
7:00 a.m.	77	96	81	85
8:00 a.m.	56	92	58	79
9:00 a.m.	45	80	56	76
10:00 a.m.	40	78	53	71
11:00 a.m.	37	71	58	74
12:00 p.m.	36	68	56	68
1:00 p.m.	36	66	53	68
2:00 p.m.	37	65	47	68
3:00 p.m.	43	68	56	56
4:00 p.m.	45	70	53	59
5:00 p.m.	55	73	61	53
6:00 p.m.	66	77	81	50
7:00 p.m.	73	81	67	56
8:00 p.m.	77	82	61	65
9:00 p.m.	86	86	64	74
10:00 p.m.	92	87	75	85
11:00 p.m.	97	92	86	91

# Multifamily Housing (Low-Rise) (220)

## Peak Period Parking Demand vs: Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.

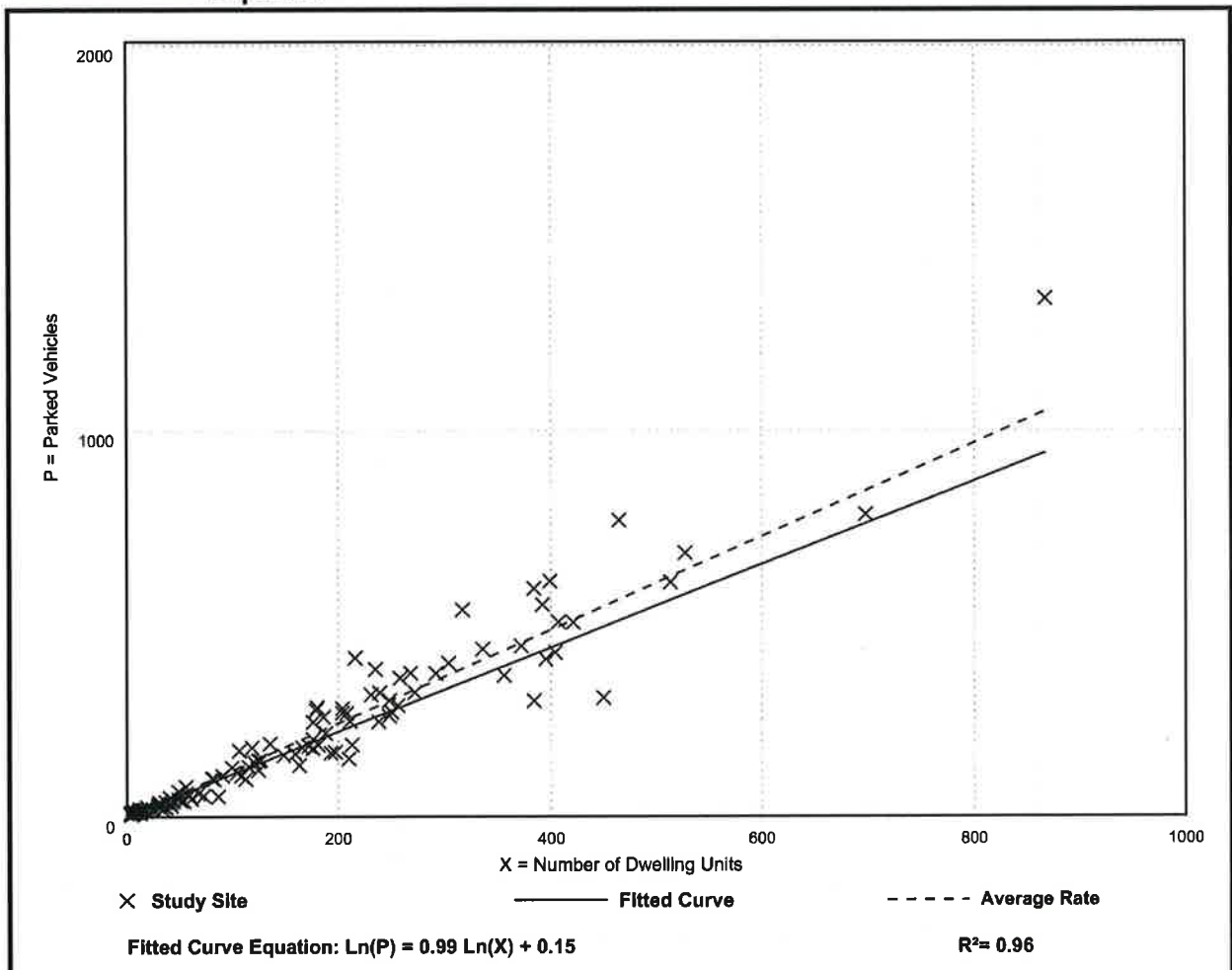
Number of Studies: 119

Avg. Num. of Dwelling Units: 156

## Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.21	0.58 - 2.50	1.03 / 1.52	1.16 - 1.26	0.27 ( 22% )

## Data Plot and Equation







**14 Market Square**  
**Area Program & Comparative Parking Analysis**  
 11/18/2025

Character District CD-5  
 Downtown Overlay District  
 Historic Overlay District

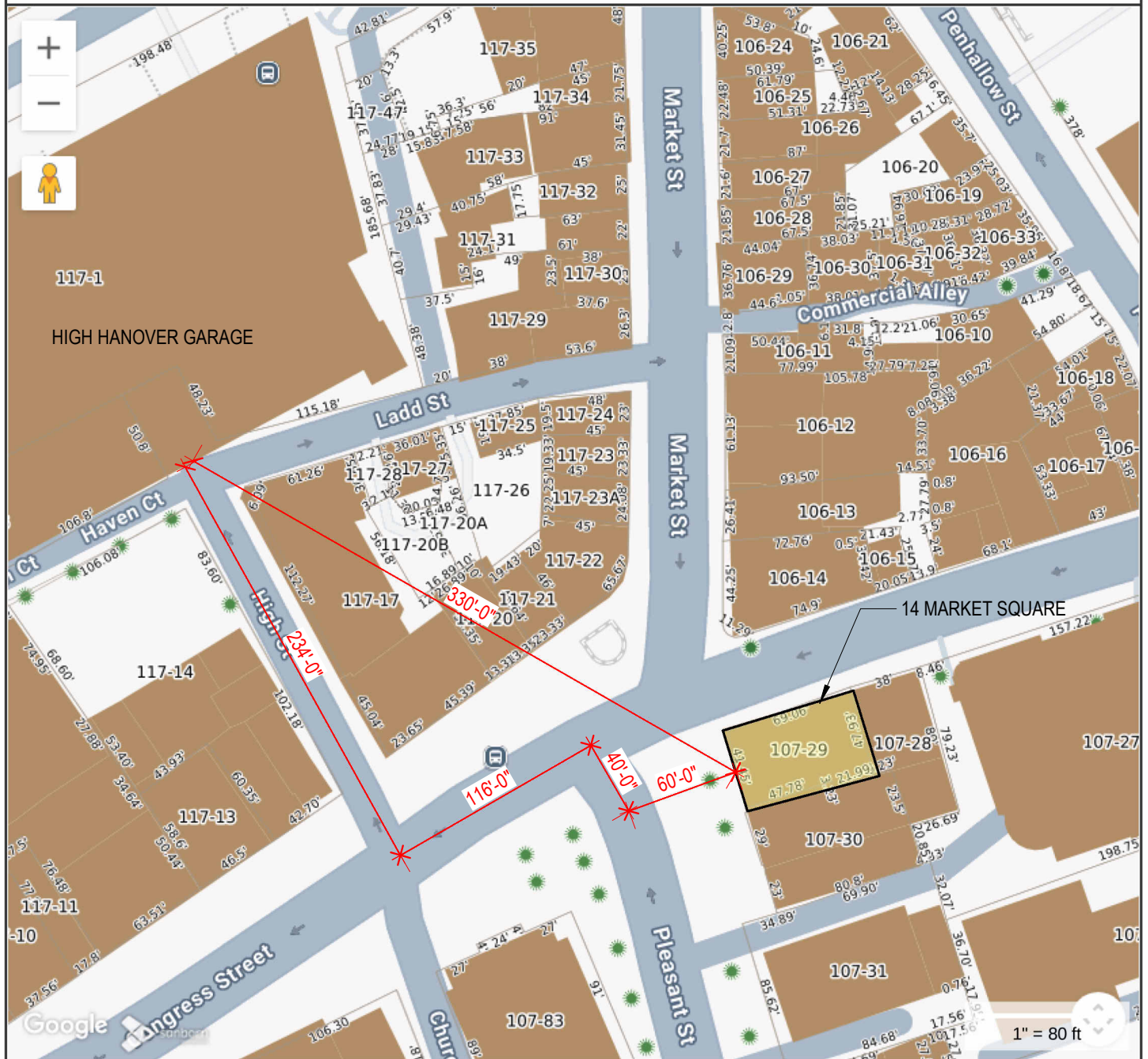
**Parking Requirements - Upper Floors**

Existing Occupancy - Office						Parking spaces required		
Level	Occupancy	Occupied Floor Area (sf)	Qty Residential Units	Unit size	Gross floor area per parking space	Office parking spaces	Apartment parking spaces	TOTAL
3	Office	2,699	-	-	350.00	7.71	-	7.71
2	Office	2,688	-	-	350.00	7.68	-	7.68
<b>Subtotal Required (existing)</b>		9,212				15.39	-	<b>15.39</b>
DOD deduct						(4.0)	-	(4.0)
<b>Total Existing Required, rounded up</b>						11.39	-	<b>12</b>

Proposed Occupancy - Apartments						Parking spaces required		
Level	Occupancy	Occupied Floor Area (sf)	Bedrooms		Parking spaces per apartment	Office parking spaces	Apartment parking spaces	TOTAL
3	Apartment 301	749	2	2-bedroom		-	1.00	0.75
3	Apartment 302	331	0.5	studio		-	0.50	0.50
3	Apartment 303	1,269	3	3-bedroom		-	1.00	1.00
2	Apartment 200	598	1	1-bedroom		-	1.00	1.00
2	Apartment 201	650	1	1-bedroom		-	1.00	1.00
2	Apartment 202	663	1	1-bedroom		-	1.00	1.00
2	Apartment 203	480	0.5	studio		-	0.50	0.50
<b>Subtotal Required (proposed )</b>		3,660.0	9.0			0.0	6.00	<b>5.75</b>
DOD Apartments Visitor: 1 space per 5 dwelling units						-	1.40	1.40
DOD deduct						0.0	(4.0)	(4.00)
<b>Total Required (Proposed) rounded up</b>						0	4	<b>4</b>

Bicycle Parking Required		
use	spaces required per use	total required
apartments	1 bicycle for every 5 dwelling units	2.00
<b>TOTAL bicycles storage required - rounded up</b>		<b>2</b>
Total bicycles storage provided on site		4
Total bicycles storage provided adjacent to site (city rack)		12

## tax map 14ms to hhg



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/26/2024

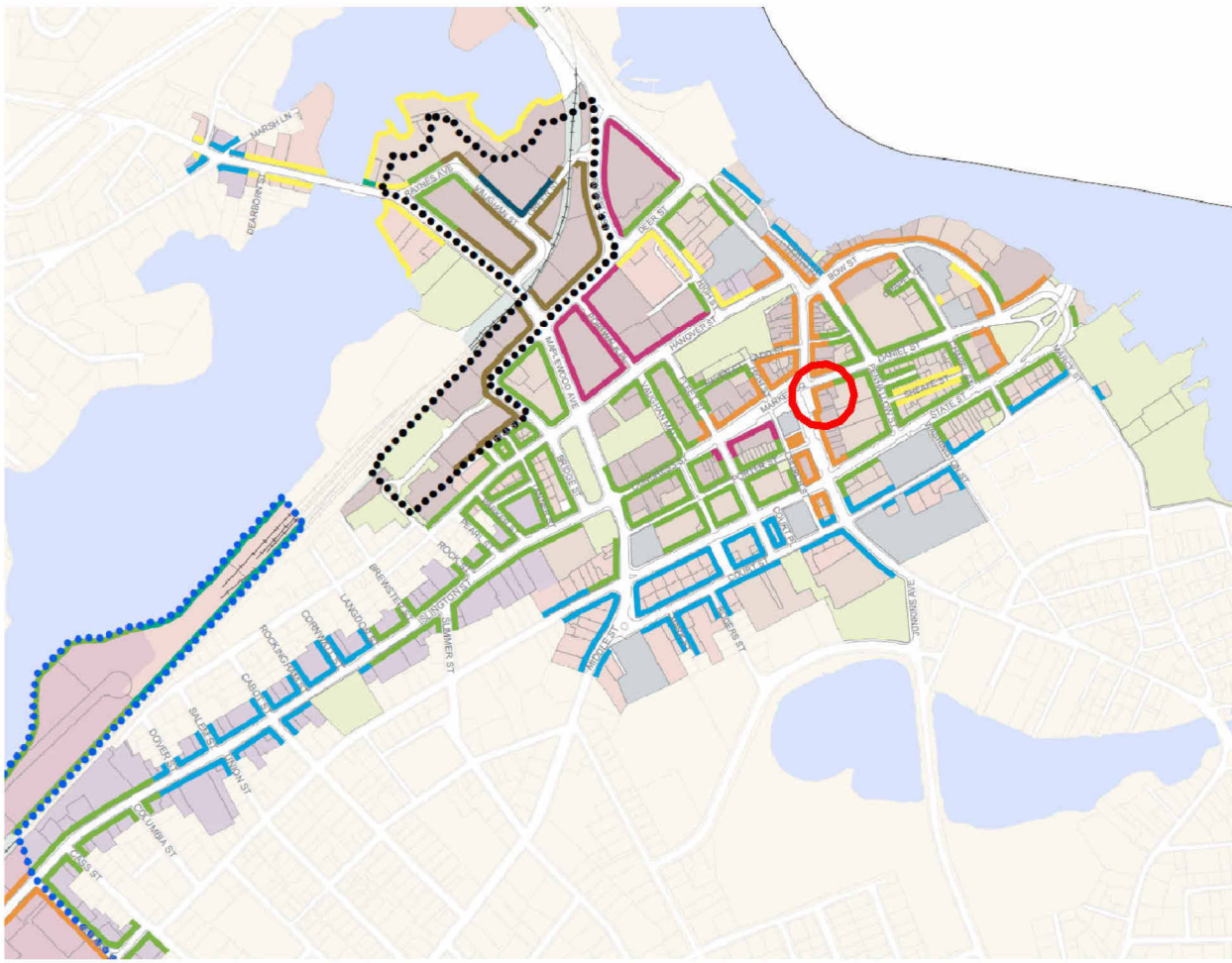
Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

1

**hh garage locus map**

1" = 80'-0"





ZONING SUMMARY Legend

CHARACTER DISTRICT CD-5

DOWNTOWN OVERLAY DISTRICT HEIGHT -

PLEASANT STREET: 2-3 STORIES (SHORT 4TH), 45' DANIEL STREET: 2-3 STORIES (SHORT 4TH), 45'

CURRENT USE: FIRST FLOOR - RESTAURANT SECOND & THIRD FLOOR - OFFICE ATTIC - STORAGE

PROPOSED USE: FIRST FLOOR - RESTAURANT SECOND, THIRD, & ATTIC - RESIDENTIAL

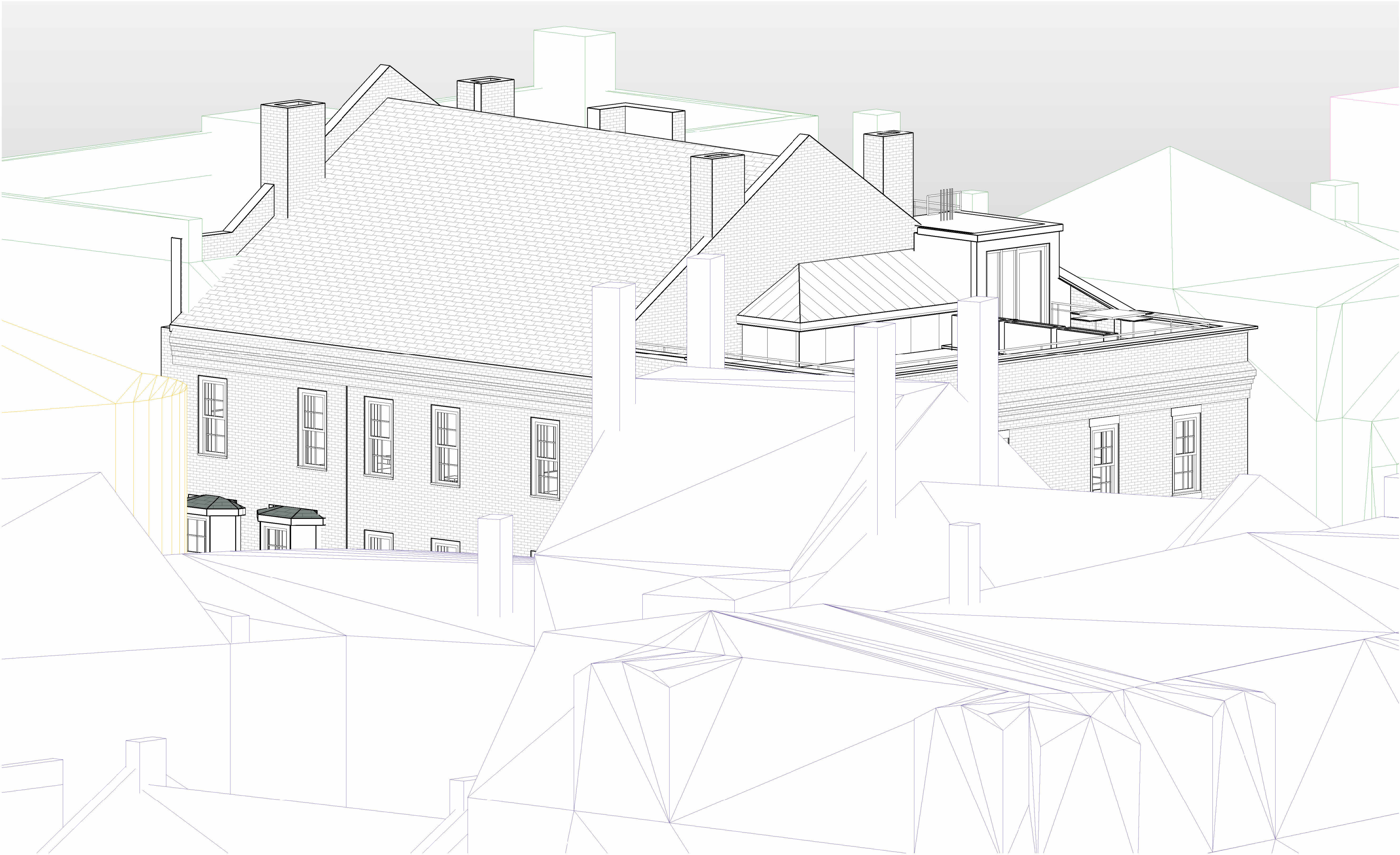
Height requirement area	Maximum building height*
1 Story	20'
2 Stories	35'
2 Stories (short 3rd*)	35'
2-3 Stories	40'
2-3 Stories (short 4th*)	45'
2-4 Stories	50'
2-4 Stories (short 5th*)	60'
2-5 Stories	60'

\*Penthouse Levels may exceed the building height by 2 feet.

1. A short story includes either: 1) use of a top story below the cornice line of a sloped roof that is at least 20% shorter in height than the story below, or 2) a story within a mansard roof with a pitch no greater than 30:12.

2. When a lot is assigned to more than one height requirements standard refer to the requirements listed in Section 10.5A21.22.

3. Attic space within either a gable, gambrel, hip or hip-top mansard roof or a penthouse level on a flat roof is not considered a story. Attic space is permitted above the top story provided the proposed building is no greater than the maximum building height.



DRAWING LIST

- 0.1 - COVER SHEET
- 1.1 - FLOOR PLAN
- 1.2 - FLOOR PLANS
- 2.1 - ELEVATIONS
- 3.1 - PERSPECTIVE VIEWS

14 MARKET SQUARE  
PORTSMOUTH, NEW HAMPSHIRE, 03801

PLANNING BOARD  
NOVEMBER 17, 2025

PROJECT NO: 1014



300' RADIUS GIS MAP



3 CONGRESS ST., SUITE 1  
PORTSMOUTH NH 03801  
603.988.0042  
www.ARCove.com

14 MARKET SQUARE

14 MARKET SQUARE  
PORTSMOUTH, NH 03801

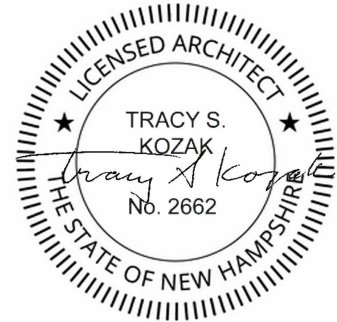
PROJECT NO: 1014

CLIENT

John Galt, LLC  
McNabb Properties Ltd

JSN ASSOCIATES, INC  
STRUCTURAL ENGINEERING  
11 AUTUMN ST  
PORTSMOUTH NH 03801  
603.436.8639

DESIGN DAY S MECHANICAL, INC  
MEP/FP ENGINEERING  
65 OL DCENTER RD  
DEERFIELD NH 03037  
603.436.1086



CONSTRUCTION DOCUMENTS

REVISIONS

NO.	DATE	DESCRIPTION

COVER SHEET

SCALE:

DATE: 11/17/2025  
DRAWN: TK  
CHECKED: TK

0.1





14 MARKET SQUARE  
PORTSMOUTH, NH 03801

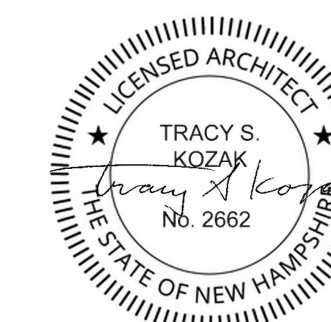
PROJECT NO: 1014

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**JSN ASSOCIATES, INC**  
**STRUCTURAL ENGINEERING**  
**11 AUTUMN ST**  
**PORTSMOUTH NH 03801**  
**603.436.8639**

DESIGN DAY S MECHANICAL, INC  
MEP/FP ENGINEERING  
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DEERFIELD NH 03037  
603.436.1086

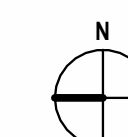


## CONSTRUCTION DOCUMENTS

## REVISIONS

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## FLOOR PLANS



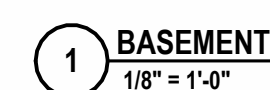
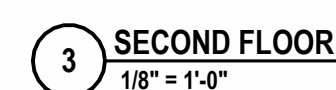
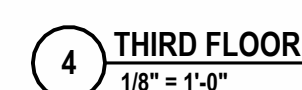
SCALE: 1/8" = 1'-0"

DATE: 12/30/2025

DRAWN: Author

CHECKED: Checker

# 1.1





3 CONGRESS ST., SUITE 1  
PORTSMOUTH NH 03801  
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www.ARCove.com

14 MARKET SQUARE

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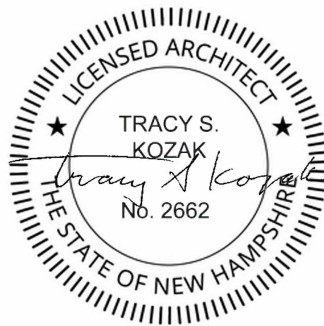
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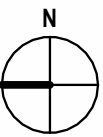


CONSTRUCTION DOCUMENTS

REVISIONS

NO.	DATE	DESCRIPTION

FLOOR PLANS

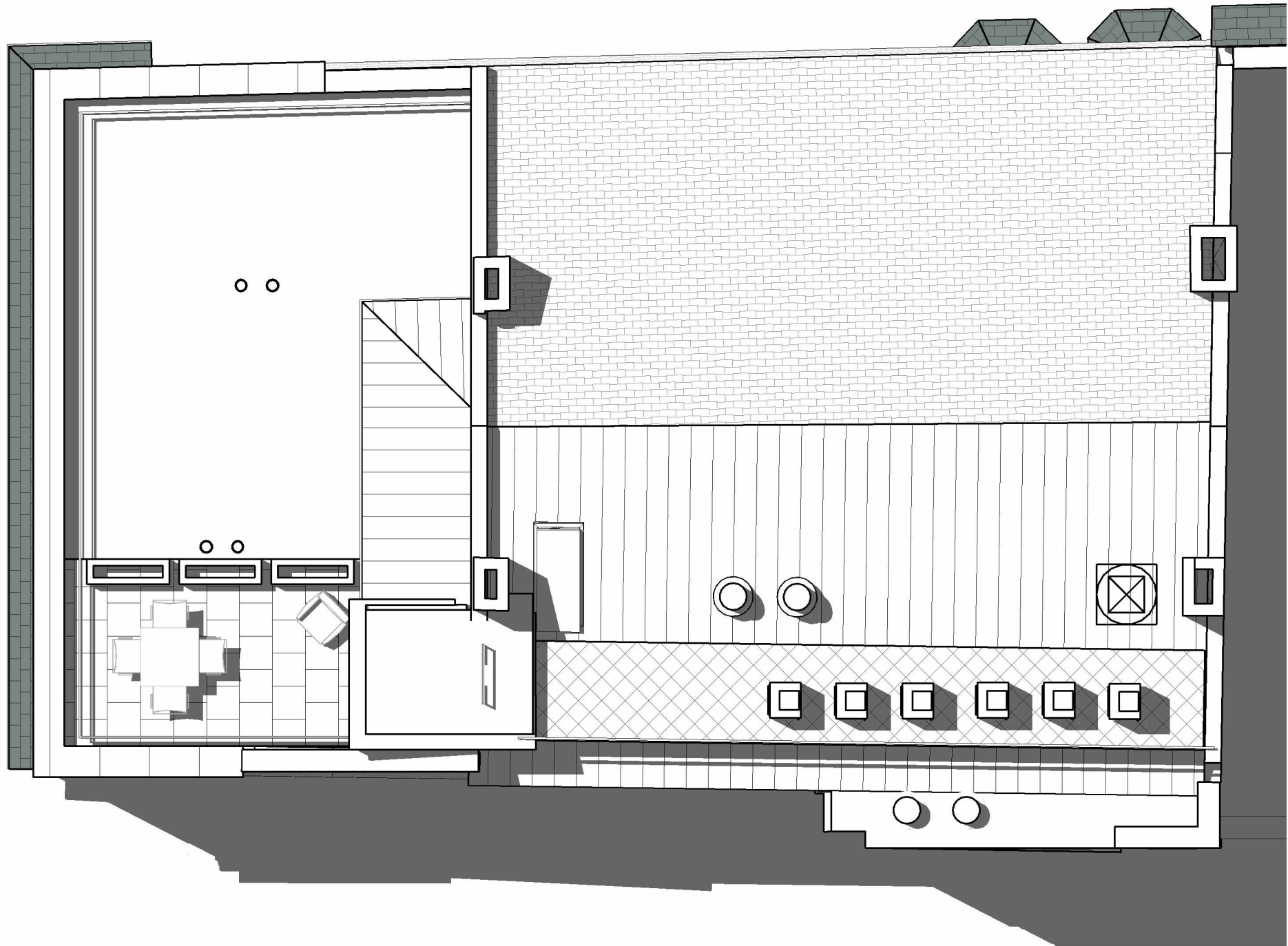


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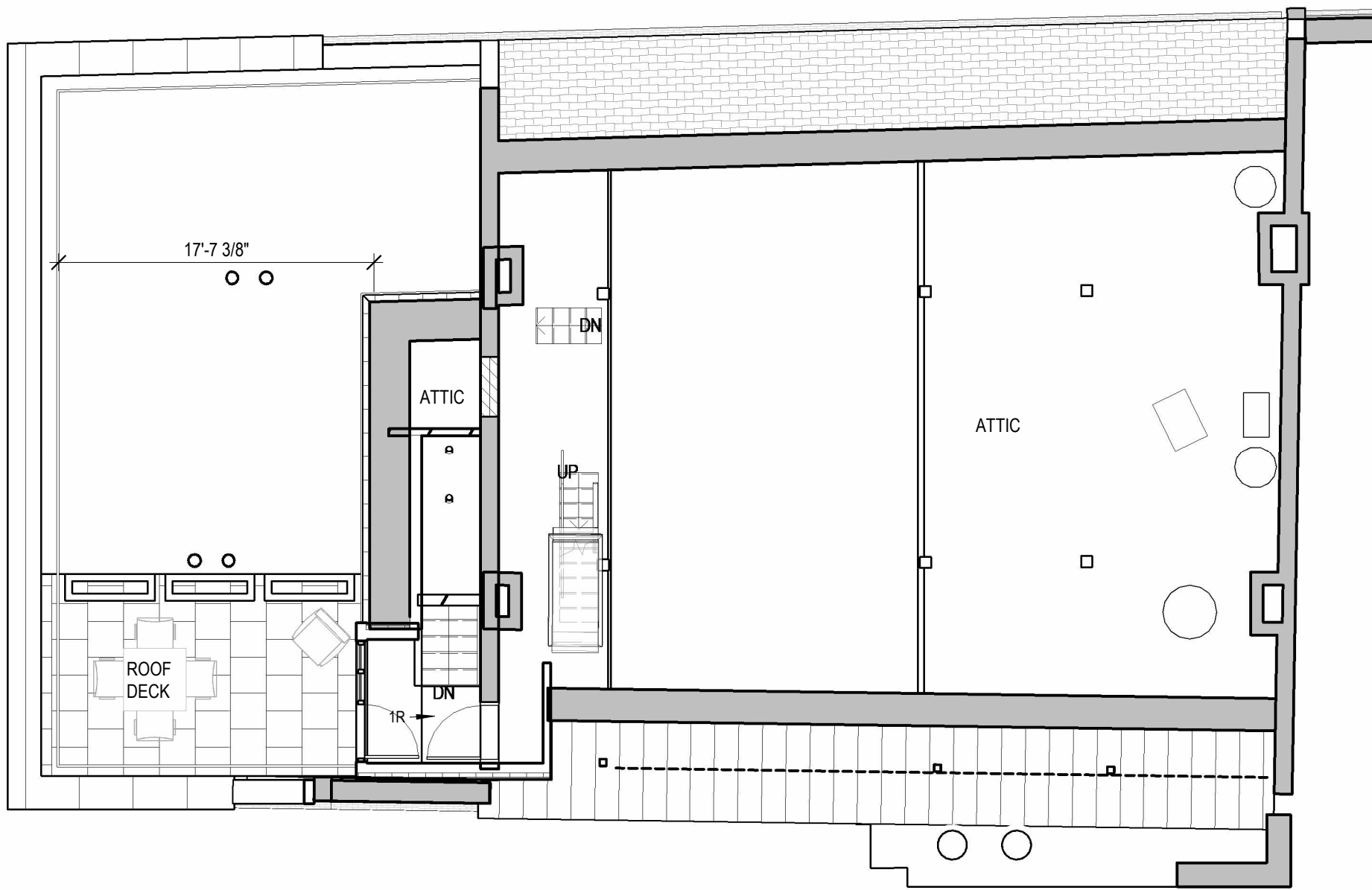
DATE: 11/17/2025

DRAWN: Author

CHECKED: Checker

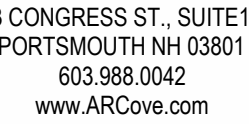


2 ROOF  
1/8" = 1'-0"



1 ATTIC  
1/8" = 1'-0"





14 MARKET SQUARE  
PORTSMOUTH, NH 03801

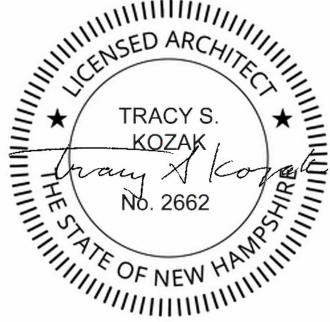
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DEERFIELD NH 03037  
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## CONSTRUCTION DOCUMENTS

## REVISIONS

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## ELEVATIONS

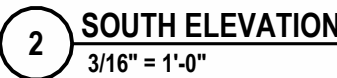
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DATE: 11/17/2025

DRAWN: Author

CHECKED: Checker

## 2.1







3 CONGRESS ST., SUITE 1  
PORTSMOUTH NH 03801  
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14 MARKET SQUARE

14 MARKET SQUARE  
PORTSMOUTH, NH 03801

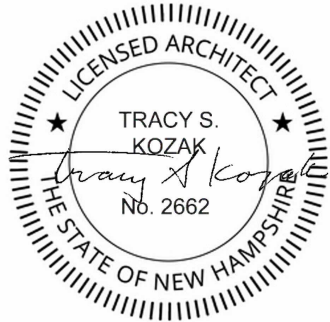
PROJECT NO: 1014

CLIENT

John Galt, LLC  
McNabb Properties Ltd

JSN ASSOCIATES, INC  
STRUCTURAL ENGINEERING  
11 AUTUMN ST  
PORTSMOUTH NH 03801  
603.436.8639

DESIGN DAY S MECHANICAL, INC  
MEP/FP ENGINEERING  
65 OL DCENTER RD  
DEERFIELD NH 03037  
603.436.1086

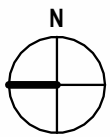


CONSTRUCTION DOCUMENTS

REVISIONS

NO.	DATE	DESCRIPTION

PERSPECTIVE VIEWS



SCALE:

DATE: 11/17/2025  
DRAWN: Author  
CHECKED: Checker

3.1



4 FROM CONGRESS ST IN FRONT OF POPOVERS



2 VIEW LOOKING WEST FROM DANIEL STREET



3 HDC 2 - PLEASANT ST LOOKING NORTH



1 VIEW LOOKING EAST FROM CONGRESS STREET