



LETTER OF TRANSMITTAL

Date: 9/24/2025

To: Peter Stith
Peter Britz
Planning Department
City of Portsmouth

CC:

From: Tracy Kozak

Via: Courier

Re: 14 Market Square, Change of Use: Planning Board Application

Remarks

Hardcopy for Planning Board application for October, as uploaded to City's PointCloud website on 9/24/2025. This application is for a CUP for change of use, from Office to Coliving.

- (1 copy) – 14 Market Square



24 September 2025

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

RE: Request for Conditional Use Permit for Change of Use from Office to Co-Living at 14 Market Square

Dear Mr. Chellman and Planning Board Members:

On behalf of John Galt LLC, we are pleased to submit the attached application for a **Conditional Use Permit** and request that we be placed on the **October 16, 2025** Planning Board Meeting agenda. The property is located at 14 Market Square, with frontage on Daniel Street and Pleasant Street, and is within the Character District 5 (CD5), Historic District and Downtown Overlay Zoning District as shown on the City of Portsmouth Assessors Map 0107 as Lot 0029. The existing building is built on the lot lines and the site has no open space. This project was previously approved by HDC, and Building Permit BLDG-23-1155 was issued on December 12, 2024 for renovating the second and third floor office space, adding a penthouse and roof deck, and a mechanical platform at the rear roof.

Project Overview:

This proposal requests a change of use for the second and third floors from office space to co-living on the third floor and four apartments on the second floor. No changes are proposed at the first floor restaurant or basement support space.

The proposed third floor co-living was designed in accordance with Section 10.815 of the Zoning Ordinances and will have 8 sleeping units each having a private bathroom, clustered around shared common area. Maximum occupants with double occupancy is 16 people. The co-living suite also has exclusive access to the roof deck. The proposed co-living suite does not provide the minimum common area square footage required for co-living thereby requesting the following waiver.

- Common Area required by zoning: 1,200 sf + 20 sf per sleeping unit.
- Required: (1 suite * 1,200 sf) + (20*8) = 1,360 sf minimum
- Proposed: 792 sf (does not comply, ***a waiver is requested***)



Sleeping units range in size from 170 sf to 362 sf, which includes private bathrooms in every sleeping unit. Although the common area is less than the minimum required in the ordinance, every sleeping unit is oversized, some substantially, and all bedrooms have private bathrooms. Total area of sleeping units exceeds the minimum required by 921 sf. The common area deficit is 568 sf, leaving a net total excess of space of 353 sf. Additionally, there is a shared open-air common space at the roof deck.

Vehicular Circulation:

A parking needs analysis is attached, demonstrating the proposed change in use going from office space to residential results in no increase to required parking. The parking demand for office space requires 15.4 parking spaces and our application requires 4.0 parking spaces resulting in a decrease of 11.4 parking spaces and a requirement to provide 0 parking spaces after deducting the 4 parking space credit for being located in the Downtown Overlay District.

The building is located approximately 330 feet from the High Hanover Parking Garage which satisfies the requirement to be within 600 feet of a municipal parking garage thereby requiring no parking, as shown on attached locus map.

We look forward to Planning Board review of this submission and look forward to an in-person presentation at your meeting.

Sincerely,

A handwritten signature in black ink that reads "Tracy Kozak".

Tracy Kozak, AIA
Principal
ARCOVE Architects

Findings of Fact | Coliving Conditional Use Permit

City of Portsmouth Planning Board

Date: October 7, 2025

Property Address: 14 Market Square

Application #: LU-25-142

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.

Coliving 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.

	Coliving Conditional Use Permit 10.243 Requirements	Finding (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	The project site is a previously developed site with a current structure. This proposal requests a change of use for the second and third floors from office space to coliving on the third floor, and four apartments on the second floor. The plans involve interior remodeling with a rooftop addition so there is only a minor change to the height and scale with a use compatible to the surrounding properties.
2	10.243.22 All necessary public and private utility infrastructure and services will be available and adequate to serve the proposed use.	Meets Does Not Meet	The changes to infrastructure needs are minimal with the conversion when compared to the existing available infrastructure.

	Coliving Conditional Use Permit 10.243 Requirements	Finding (Requirement)	Supporting Information
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	The parking demand for office space requires 15.4 parking spaces and the change requires 4.0 parking spaces resulting in a decrease of 11.4 parking spaces. After deducting the 4-parking space credit for being located in the Downtown Overlay District the project requires 0 parking spaces. The adjacent and surrounding streets and sidewalks have the capacity to handle the change.
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 proposed coliving residential use will not contribute the types of impacts associated with the items listed.
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	Urban site, no wetlands or buffers. The property is not in a flood zone.
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	Building is suitable for the intended purpose, currently used as an urban building site. The use will match adjacent property uses and not impact values.
6	<u>Other Board Findings:</u>		
7	<u>Additional Conditions of Approval:</u>		



14 Market Square
Area Program & Parking Analysis
 9/24/2025

Character District CD-5
 Downtown Overlay District
 Historic Overlay District

Parking Analysis

Existing Layout						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	7.7	-	7.7
2	Office	2,688	-	-	350	7.7	-	7.7
Subtotal Required (existing)		9,212				15.4	-	15.4
DOD deduct						(15.4)	-	(15.4)
Total DOD Required (existing) rounded up						0	-	0

Proposed Layout						Parking spaces required		
Level	Occupancy	Occupied Floor Area (sf)	Qty Residential Units	Unit size (sf)	Parking spaces per area or unit	Office parking spaces	Apartment parking spaces	TOTAL
3	Coliving 301	2,699	8	varies	0.0	-	0.0	0.0
2	Apartment 203	473	1	473	1.0	-	1.0	1.0
2	Apartment 202	729	1	729	1.0	-	1.0	1.0
2	Apartment 201	596	1	596	1.0	-	1.0	1.0
2	Apartment 200	645	1	645	1.0	-	1.0	1.0
Subtotal Required (proposed)		5,142.0	5.0			0.0	4.0	4.0
DOD Apartments Visitor: 1 space per 5 dwelling units						-	0.0	-
DOD deduct						0.0	(4.0)	(4.0)
Total DOD Required (Proposed)						0	0	0.00
Total DOD Required (Proposed) rounded up								0
Net Change (reduction)								(11)
Net Change , adjusted for DOD								0.0

Bicycle Parking Required		
use	spaces required per use	total required
apartments	1 bicycle for every 5 dwelling units	-
TOTAL bicycles storage required - rounded up		0
Total bicycles storage provided on site		0
Total bicycles storage provided adjacent to site (city rack)		12

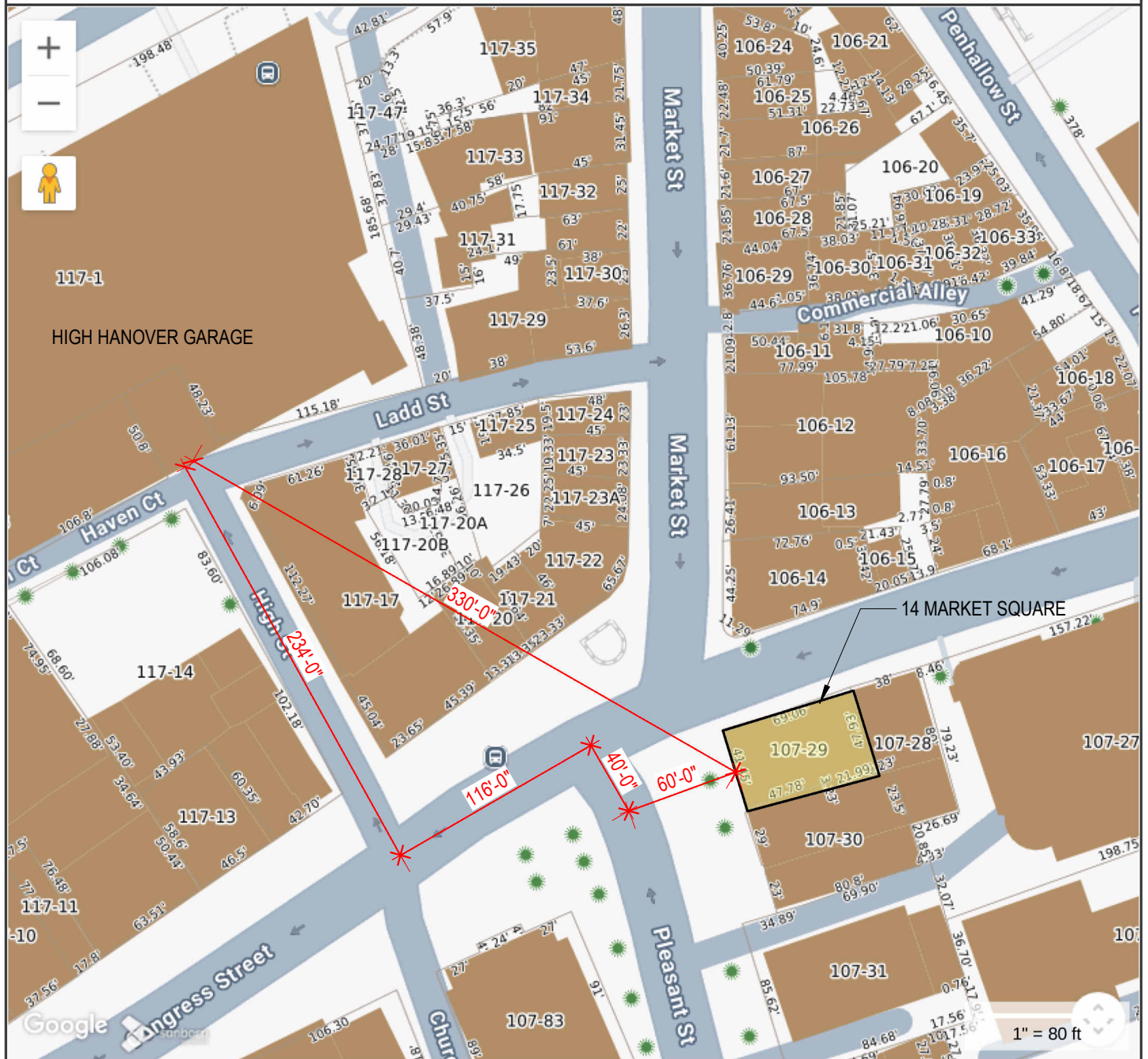
Coliving Space Analysis

Sleeping Unit	area (sf)
1	362
2	261
3	187
4	170
5	193
6	209
7	310
8	189
total sleeping unit area provided	1,881
Sleeping unit area required, minimum 120 sf/unit	960
Excess Area, sleeping units	921

Common Space	Area (sf)
Common Area Required	1,360
Common Area Provided	792
Deficit Common area	(568)

Summary	
Total Area Required (sleeping + common)	2,320
Total Area Provided	2,673
Excess Space Provided	353

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.

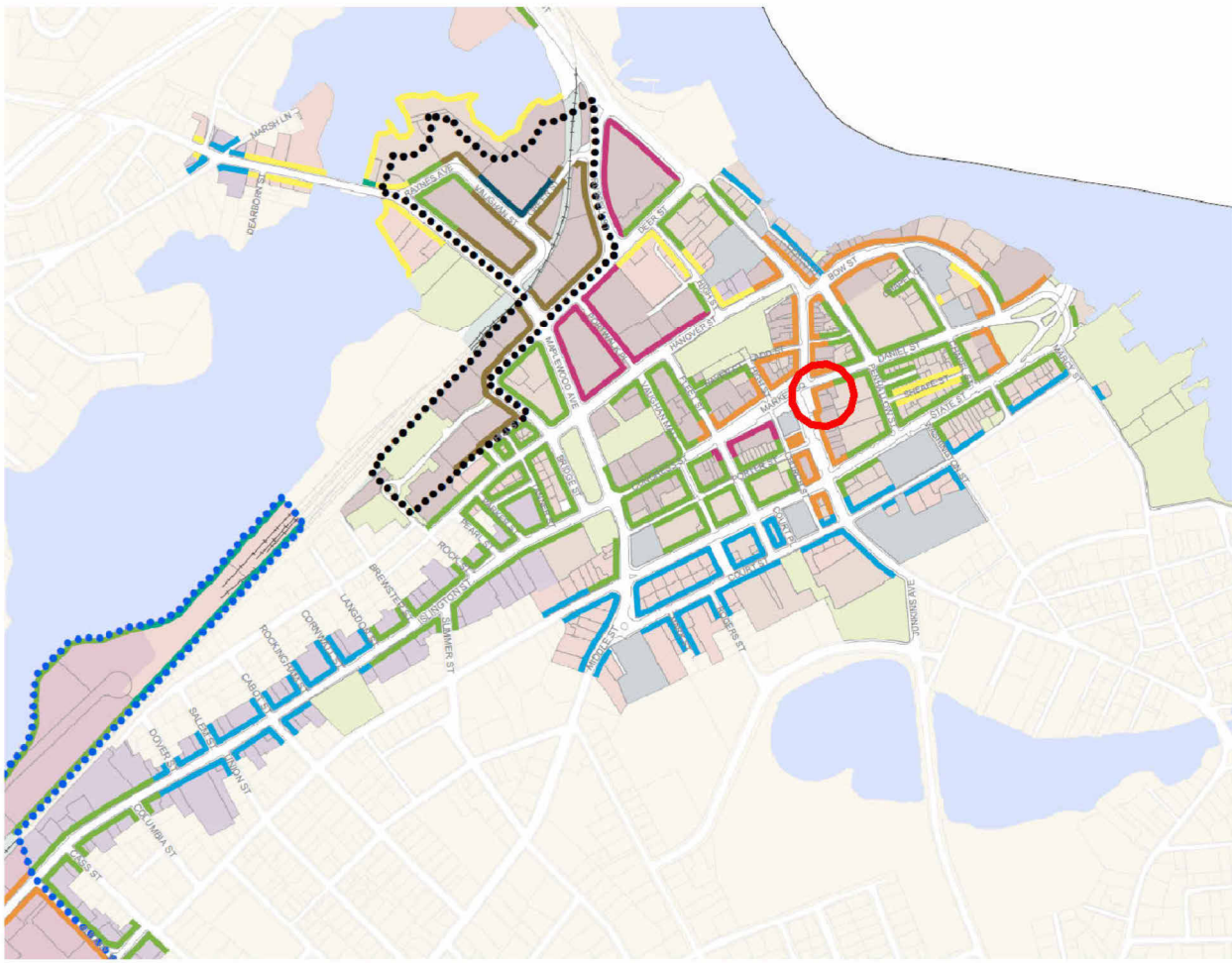
Geometry updated 09/26/2024

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
SEPTEMBER 24, 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

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PORTSMOUTH, NH 03801

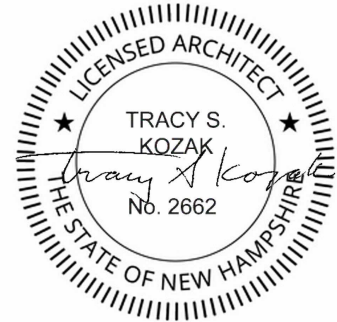
PROJECT NO: 1014

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: 09/24/2025
DRAWN: TK
CHECKED: TK

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PORTSMOUTH, NH 03801

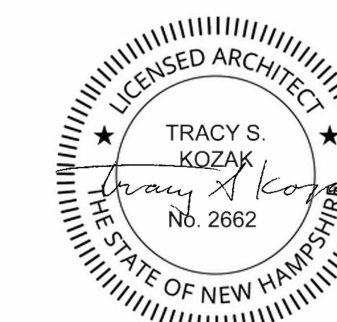
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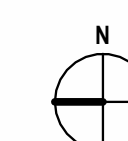
FLOOR PLANS

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

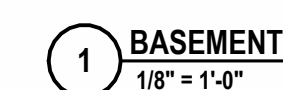
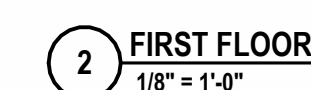
DATE: 09/24/2025

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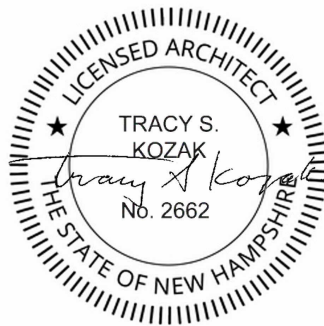
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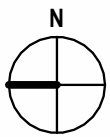


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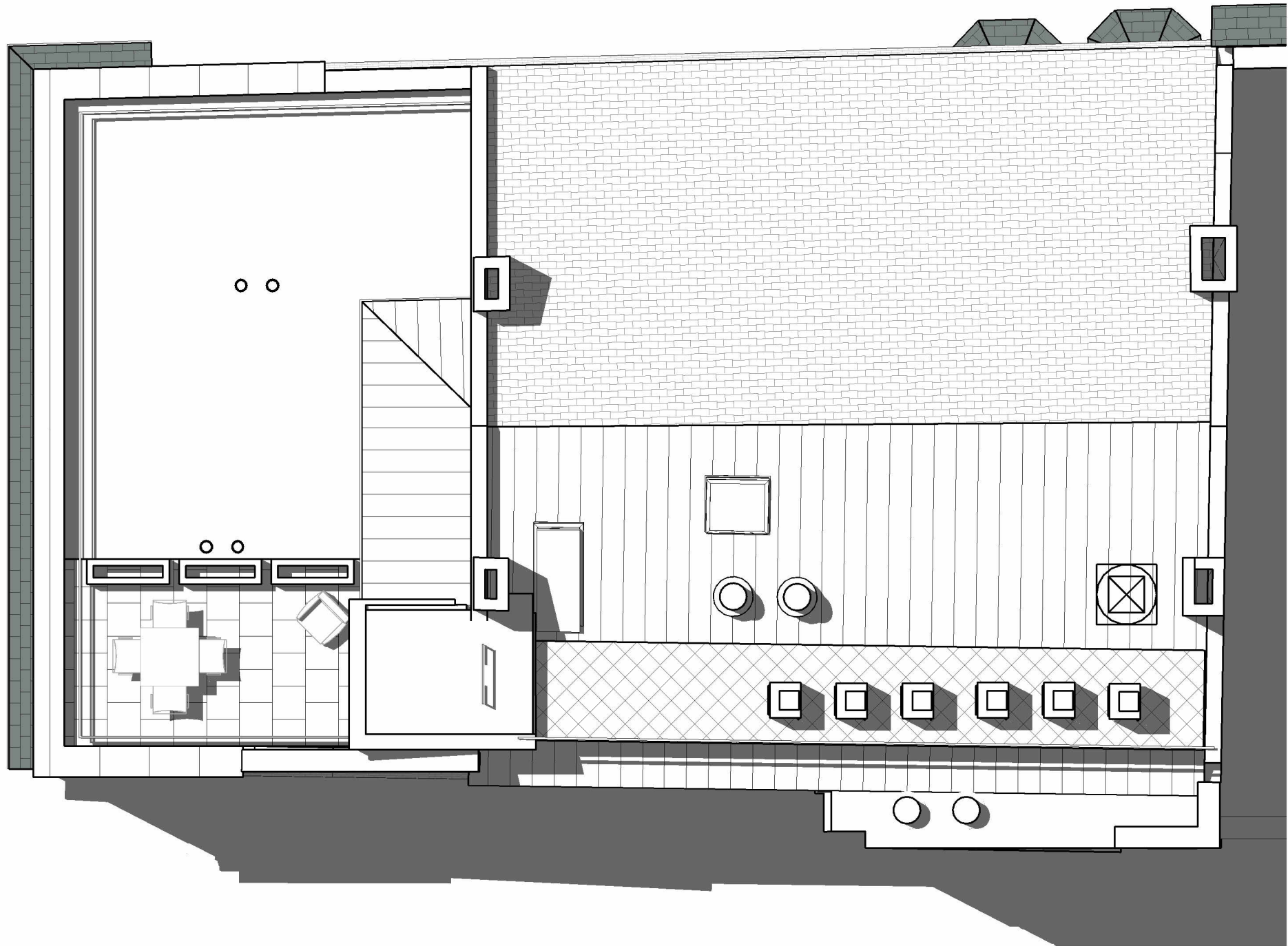


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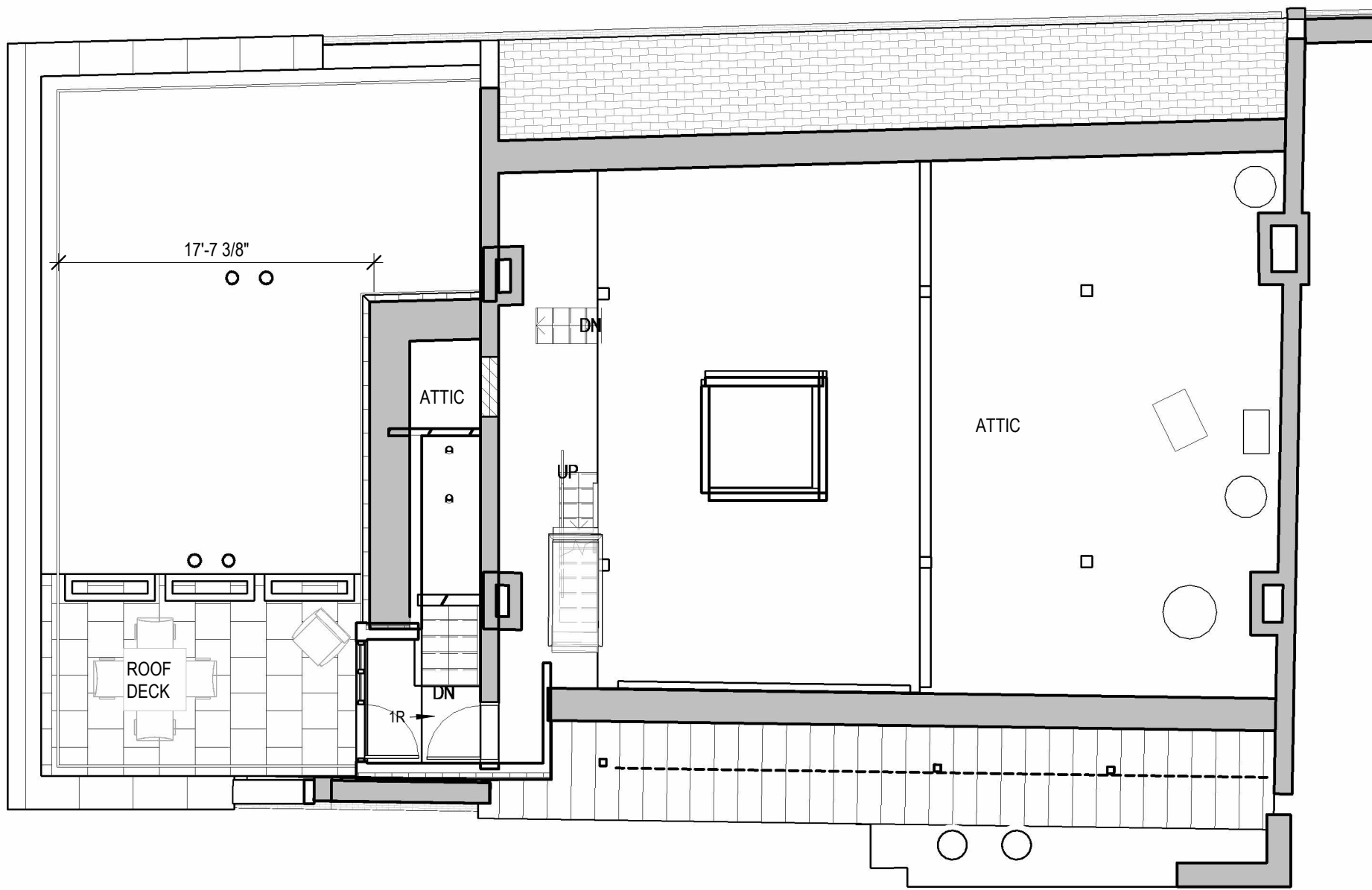
DATE: 09/24/2025

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



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



3 NORTH ELEVATION - DANIEL STREET
3/16" = 1'-0"



2 SOUTH ELEVATION
3/16" = 1'-0"



1 WEST ELEVATION - PLEASANT STREET
3/16" = 1'-0"



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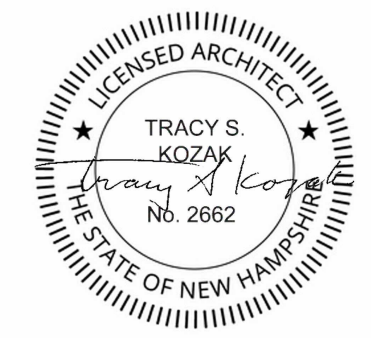
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NO.	DATE	DESCRIPTION

ELEVATIONS

SCALE: 3/16" = 1'-0"

DATE: 08/18/2025

DRAWN: Author

CHECKED: Checker



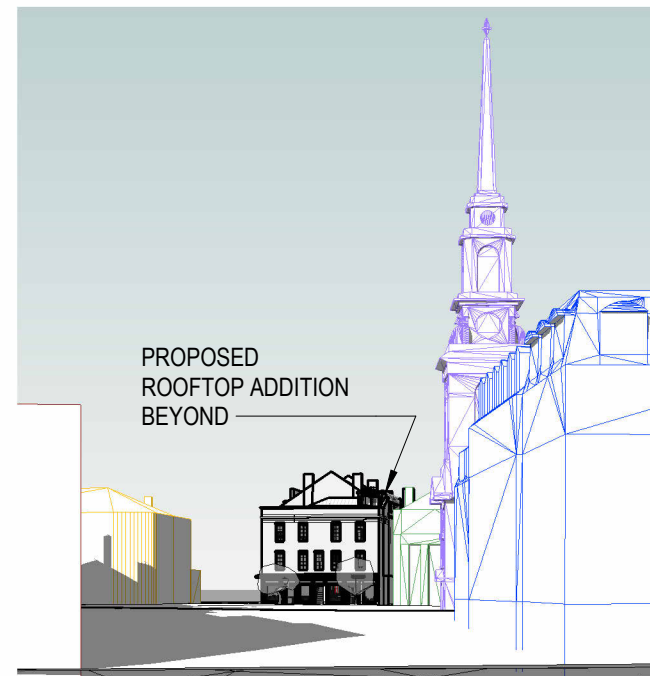
1 FROM PLEASANT STREET AT STONEWALL KITCHEN



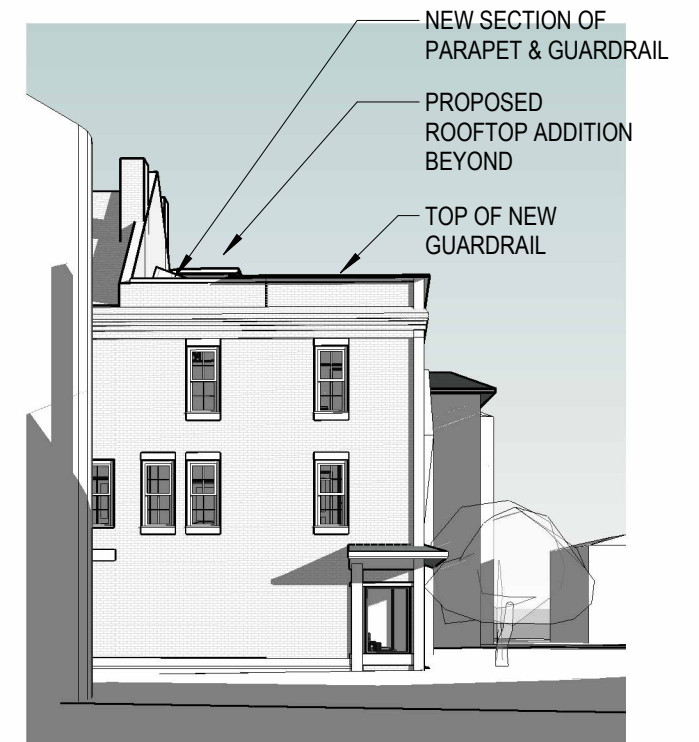
2 FROM CONGRESS STREET AT BUS STOP



3 FROM CONGRESS ST IN FRONT OF POPOVERS



4 FROM CONGRESS ST AT FLEET STREET



5 FROM DANIEL STREET LOOKING SOUTH

