



January 31, 2023

Phyllis Eldridge, Chair
Portsmouth Zoning Board of Adjustment
1 Junkins Avenue
Portsmouth, NH 03801

Re: Rarebreed Veterinary Partners, Tenant/Applicant
Project Location: 350 US Route 1 BYP
Tax Map 172, Lot 2-0
Gateway Mixed Use Corridor (G1) Zone

Dear Chair Eldridge and Zoning Board Members:

On behalf of Rarebreed Veterinary Partners, applicant, enclosed please find the following documents in support of a Special Exception regarding the proposed veterinary urgent care clinic at the above referenced property.

- City of Portsmouth Land Use Application uploaded to Viewpoint
- Owner & Applicant Authorization
- Narrative and exhibits in support of Special Exception

We respectfully request that this matter be placed on the Board's February 22, 2023 agenda. In the meantime, if you have any questions or require additional information please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Harden', written in a cursive style.

John Harden, AIA LEED AP
OLSON LEWIS + ARCHITECTS

A handwritten signature in black ink, appearing to read 'Nicholas Collins', written in a cursive style.

Nicholas AJ Collins
BLUE SKY ARCHITECTS
OLSON LEWIS + ARCHITECTS

APPLICATION FOR SPECIAL EXCEPTION
Rarebreed Veterinary Partners (Applicant)

On behalf of Rarebreed Veterinary Partners, applicant, we are pleased to submit this narrative and the attached exhibits in support of a Special Exception to be considered by the Zoning Board of Adjustment at its February 22, 2023 meeting.

EXHIBITS

1. Basis-of-Design Template Plan
2. Realtor Site Plan
3. Site Photographs
4. City GIS Tax Map 172

INTRODUCTION

Rarebreed Veterinary Partners ("Rarebreed") requests a Special Exception to operate a Veterinary Urgent Care Clinic at 350 US Route 1 BYP, Portsmouth NH ("the Property"). The Property is 4,000sf of retail tenant space located in the Gateway Neighborhood Mixed Use Corridor (G1) Zoning District. Pursuant to Section 10.440 (7.50), of the City of Portsmouth Zoning Ordinance, the use of the Property for these purposes is permitted, subject to the issuance of a Special Exception from the Board of Adjustment.

PROJECT DESCRIPTION

Similar to human urgent care, veterinary urgent care seeks to treat illness or injuries that are not immediately life threatening but require medical attention that cannot wait for regular veterinarian hours. This new walk-in clinic will provide after-hours, weekend, and holiday care for pets in a comfortable outpatient setting. The majority of anticipated patients will be dogs, cats, and other small domestic pets. No large animals, such as horses or livestock will be treated at this facility. There will be no crematory on site and no sale or commercial boarding of animals in kennels. There will be no animals held overnight at this clinic.

The attached floor plan (Exhibit 1) shows a preliminary floor plan for the proposed clinic.

Customers will have access to the following areas only:

- Entry Vestibule
- Lobby / Reception
- Exam Rooms (5-6 total)
- Restroom

The remainder of the facility shall only be accessible to staff and includes:

- Treatment Area
- Pharmacy / Lab
- Surgery / Pack
- X-Ray Room
- Animal Holding
- Vet Office
- Break Room
- Staff Restroom
- Utility Room

Proposed hours of operation are:

Monday – Friday: 2:00 pm – 11:00 pm

Saturday – Sunday: 10:00 am – 7:00 pm

COMPLIANCE WITH SPECIAL EXCEPTIONS STANDARDS

Pursuant to section 10.232.20 "Special Exceptions shall meet all of the following standards:"

10.232.21 Standards as provided by this Ordinance for the particular use permitted by special exception;

RESPONSE – The proposed Veterinary Urgent Care Clinic meets all standards as provided by the City of Portsmouth Zoning Ordinance for the particular use of veterinary care. Pursuant to Section 10.440 (7.50) of the Ordinance, Veterinary Care facilities are permitted by Special Exception within the G1 Zoning District. Additional standards specifically applying to this use listed in the Zoning Ordinance are Section 10.832, requiring that all kennels be located within an enclosed building, and Section 10.592, which requires 200 ft minimum distance between any lot with a veterinary hospital with kennels and any Residential or Mixed Residential district or Character District 4-L1.

Section 10.1530 of the Ordinance defines "Kennel" as "An establishment in which a primary use is housing dogs, cats, or other household pets, and/or grooming, breeding, training, or selling of animals."

As defined by the Ordinance, the proposed clinic will not have kennels. Rarebreed intends that all animal-holding areas will be utilized for short-term, post-treatment recovery for sick or injured animals requiring veterinary monitoring.

10.232.22 No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials;

RESPONSE – The proposed Veterinary Urgent Care Clinic will meet all applicable building codes and will be operated in accordance with all health and safety regulations particular to veterinary facilities. Specific areas of consideration unique to this use are as follows:

MEDICAL GAS: All medical gas systems (oxygen, waste gas, suction) will be designed in conformance with local and state fire codes to minimize hazards of fire or explosion.

X-RAY: All required x-ray safety procedures, shielding, controls, maintenance, and calibration will conform with the New Hampshire Rules of the Control of Radiation.

MEDICATION CONTROL: Medication stored in the pharmacy area will be controlled by a locked distribution system with access granted only to authorized staff members.

10.232.23 No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, accessways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials;

RESPONSE – The essential characteristics of the area will remain the same with no detriment to property values. The proposed use will not emit odor, smoke, gas, dust, or other pollutant, noise, glare, heat, or vibration. There will be no outdoor storage of equipment, vehicles, or other materials.

Providing an isolated and calm environment is critical for the wellbeing of animals being treated within a veterinary facility. As such, interior partitions and ceilings will be designed to reduce transmission of sound to prevent interior noise becoming a nuisance or exterior noise becoming stressful for patients. Proper air circulation is an essential component in the design of animal care facilities to aid in the health of animals as well as avoiding propagation of odors. As such, mechanical systems (HVAC) will be designed to provide adequate fresh air exchanges to prevent the noticeable presence of pet odor.

10.232.24 No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity;

RESPONSE – The proposed use will not adversely impact traffic patterns or the commercial-oriented character of the area in general. Rarebreed anticipates that loading and delivery operations will occur approximately once or twice per week depending on need. Biohazard or animal waste will be removed by a dedicated service and properly disposed of off-site. Any animal cadavers will be temporarily stored on-site in a chest freezer and removed as needed by a dedicated crematory service.

Pursuant to Section 10.1112.32, the existing retail trade use of the Property requires a total of 13 off-street parking spaces (1 per 300 sf GFA). The Ordinance requires a total of 8 off-street parking spaces (1 per 500 sf GFA) for Veterinary care facilities and results in a decreased number of parking spaces. Rarebreed anticipates a regular staff of 7-10 with the ability to serve 3-5 patients. The existing off-street parking of 214 shared commercial parking spaces located on the site is more than sufficient for Rarebreed's intended use and complies with the requirements outlined in the City of Portsmouth Zoning Ordinance.

10.232.25 No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection and schools; and

RESPONSE – Rarebreed does not anticipate excessive demand on municipal services with this proposed use. The existing building is currently serviced by public water and sewer adequate for the requirements of a veterinary clinic. Rarebreed anticipates very little, if any, demand on police and fire protection, and will cause no impact to schools.

10.232.26 No significant increase of stormwater runoff onto adjacent property or streets.

RESPONSE – As the proposed use will be an interior build-out, and does not propose changes to the site, no increase of stormwater runoff is anticipated.

CONCLUSION

For all the reasons herein stated, Rarebreed respectfully submits that Special Exception standards listed within Section 10.232.20 have been satisfied and that the Portsmouth Zoning Board of Adjustment grant the requested Special Exception.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Harden', written in a cursive style.

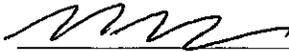
John Harden, AIA LEED AP
OLSON LEWIS + ARCHITECTS

A handwritten signature in black ink, appearing to read 'Nicholas Collins', written in a cursive style with a long horizontal flourish at the end.

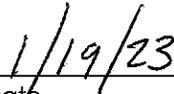
Nicholas AJ Collins
BLUE SKY ARCHITECTS
OLSON LEWIS + ARCHITECTS

LETTER OF AUTHORIZATION

Cate Street Development LLC, owner of property located at 350 US Route 1 BYP, in Portsmouth, NH, known as Map-Lot 0172-0002-0000, do hereby authorize Rarebreed Veterinary Partners to apply for a Special Exception from the Portsmouth Zoning Board of Adjustment to operate a Veterinary Urgent Care Clinic at the previously mentioned property.



Signed



Date

LETTER OF AUTHORIZATION

Rarebreed Veterinary Partners, potential tenant at 350 US Route 1 BYP, in Portsmouth, NH, known as Map-Lot 0172-0002-0000, do hereby authorize OLSON LEWIS + Architects to act on its behalf concerning the previously mentioned property.

I hereby appoint OLSON LEWIS + Architects as agent to act on behalf of Rarebreed Veterinary Partners in the Zoning Board of Adjustment application process, to include any required signatures.



James Baron, Duly Authorized
Rarebreed Veterinary Partners

Jan 19, 2023

Date

Exhibit 1



- CLIENT ACCESS
- STAFF-ONLY ACCESS

Exhibit 2

1. PARKING CALCULATIONS PER 10.1112.30:

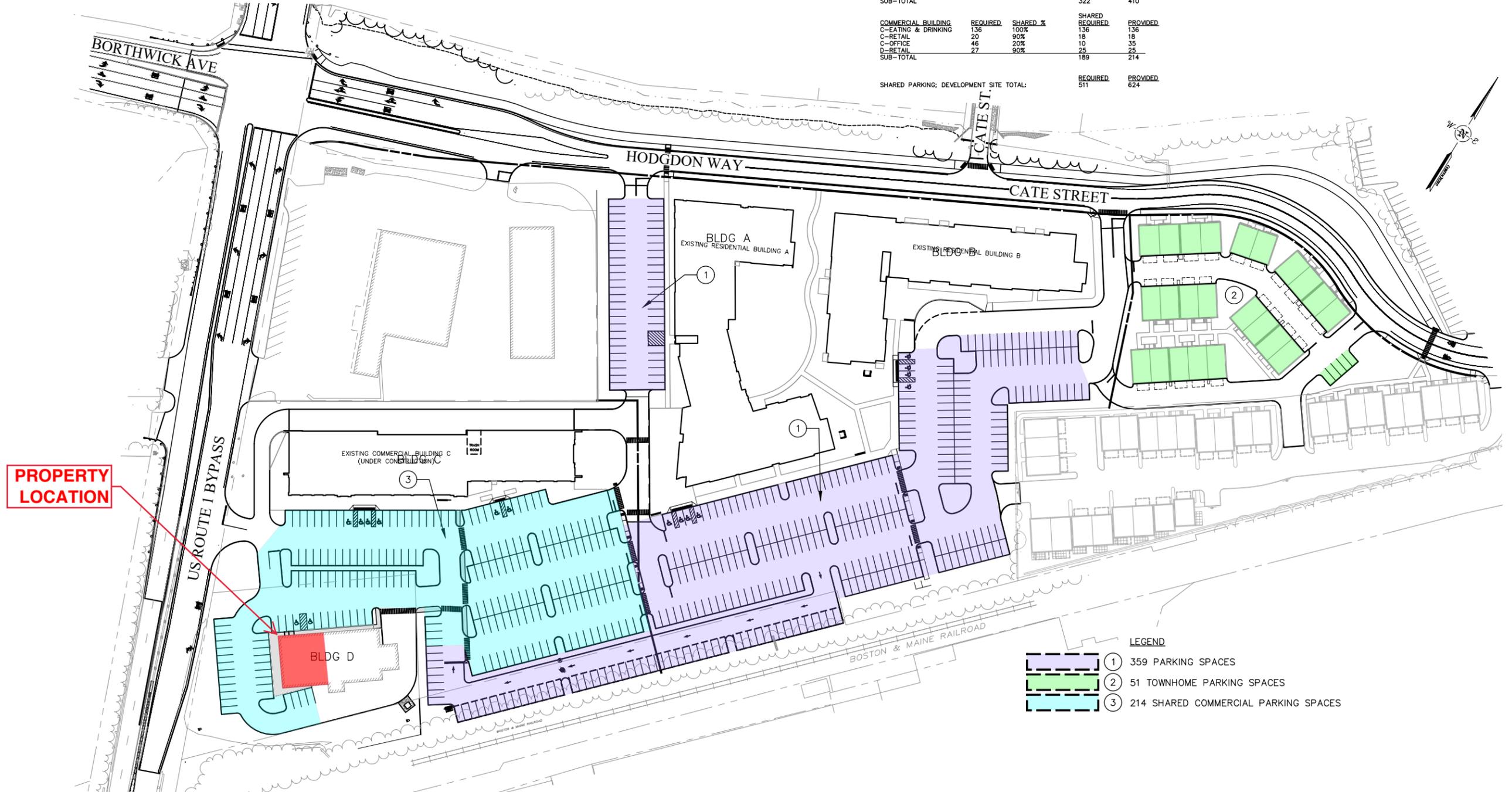
RESIDENTIAL A AND B:	UNITS	REQUIREMENT	REQUIRED	PROVIDED
UNITS <500 SQ. FT.	71	0.5 SPACE/UNIT	36	---
UNITS 500-750 SQ. FT.	107	1 SPACE/UNIT	107	---
UNITS >750 SQ. FT.	72	1.3/UNIT	94	---
VISITOR	250	1 SPACE/S. UNITS	50	---
SUB-TOTAL			287	359
BICYCLE PARKING IS INTERNAL HANDICAP ACCESSIBLE = 8				
TOWNHOMES:	UNITS	REQUIREMENT	REQUIRED	PROVIDED
UNITS >750 SQ. FT.	23	1.3/UNIT	30	46
VISITOR	23	1/5 UNITS	5	5
SUB-TOTAL			35	51
(EACH TOWNHOME HAS A 2 CAR GARAGE) BICYCLE PARKING IS INTERNAL				
COMMERCIAL BUILDING	AREA	REQUIREMENT	REQUIRED	PROVIDED
C-EATING & DRINKING	13,600SF	1/100 SF	136	---
C-RETAIL	5,800 SF	1/300 SF	20	---
C-OFFICE	15,900 SF	1/350 SF	46	---
D-RETAIL	7,832 SF	1/300 SF	27	---
SUB-TOTAL			229	214
BICYCLE PARKING HANDICAP ACCESSIBLE = 8				
			23	23
PER 10.1112.30 DEVELOPMENT SITE TOTAL:			551	624

2. SHARED PARKING CALCULATIONS: COLUMN C WEEKDAY EVENINGS PER 10.1112.60:

RESIDENTIAL A AND B:	REQUIRED	SHARED %	SHARED REQUIRED	PROVIDED
RESIDENTIAL A AND B:	287	100%	287	359
TOWNHOMES	35	100%	35	51
SUB-TOTAL			322	410

COMMERCIAL BUILDING	REQUIRED	SHARED %	SHARED REQUIRED	PROVIDED
C-EATING & DRINKING	136	100%	136	136
C-RETAIL	20	90%	18	18
C-OFFICE	46	20%	10	35
D-RETAIL	27	90%	25	25
SUB-TOTAL			189	214

SHARED PARKING; DEVELOPMENT SITE TOTAL: **REQUIRED 511 PROVIDED 624**



File Path: J:\DWG\2021\80317\B10\DWG\20210317\B10_STP02_REV1.dwg Layout: CS-004 PARKING DISTRIBUTION Plotted: Tue, February 22, 2022 - 11:50 AM User: mltavares
 MS VIEW: LAYER STATE: Plotter: DWG TO PDF.PCS CTB File: FO.STB

No.	DATE	DESCRIPTION	DESIGNER	REVIEWER
1.	01/11/2021	TAC WORKSHOP SUBMITTAL	JF/MRT	RRL
2.	01/18/2022	TAC RESUBMISSION	MRT	RRL
3.	02/23/2022	PLANNING BOARD SUBMISSION	MRT	RRL

SCALE: HORZ.: 1"=60' VERT.: 1"=60'
 DATUM: NAD83
 HORZ.: NAVD83 VERT.: NAVD83
 60 30 0 GRAPHIC SCALE
 20210317/009 www.fuss.com

FUSS & O'NEILL
 UPPER SQUARE BUSINESS CENTER
 5 FLETCHER STREET, SUITE 1
 KENNEBUNK, MAINE 04043
 207.263.6669
 www.fuss.com

CATE STREET DEVELOPMENT, LLC
 PARKING DISTRIBUTION PLAN
 ROUTE 1 BYPASS / HODGDON WAY
 PORTSMOUTH NEW HAMPSHIRE

PROJ. No.: 20180317.B10
 DATE: 02/23/2022

CS-004

Exhibit 3.1 - Side View from US-1 Bypass (South)



Exhibit 3.2 - Front View from US-1 Bypass (Southwest)



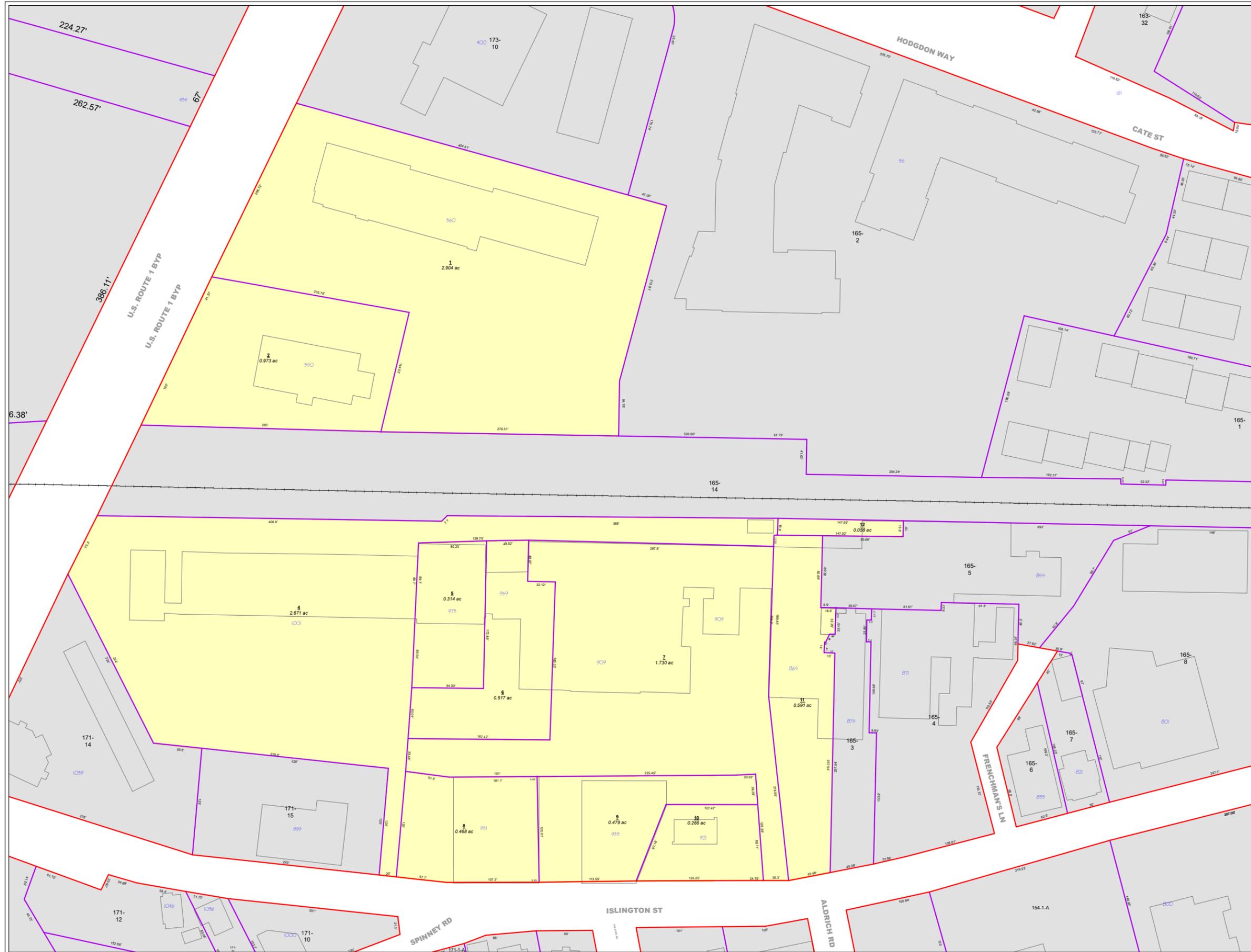
Exhibit 3.3 - Front View from US-1 Bypass (West)



Exhibit 3.4 - Side View from Parking Lot (North)



Exhibit 4

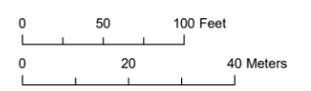


Partial Legend
 See the cover sheet for the complete legend.

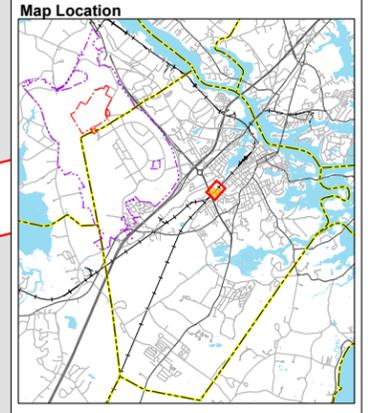
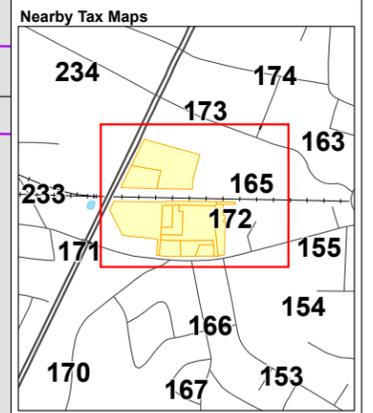
- 7-5A** Lot or lot-unit number
- 2.56 ac Parcel area in acres (ac) or square feet (sf)
- 23 Address number
- 233-137 Parcel number from a neighboring map
- 68 Parcel line dimension
- SIMS AVE Street name

- 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)



This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.



Portsmouth, New Hampshire
 2022
Tax Map 172