

9. Zoning Requirements:

INDIA STREET – FORM BASED CODE

The building fronts along Thames Street with the AC Hotel being constructed to its east and the historical Grand trunk to its west. Both neighboring buildings were considered in the façade design. The base of the building is a classical precast base which steps up as it moves to the east. This same stepping of the base is being used on the hotel. Inside of this precast is a natural anodized aluminum storefront with clear glass - no tinting. The brick veneer above the precast is an elongated 12 inch brick in brown. This will complement the Grand trunk and still be distinctive in its architecture with a slight departure from a standard old Port blend brick. The mortar joints will be tinted to match the brick color. The 6th floor is setback 15 feet in due difference to the grand Trunk and meeting the requirements of the IS-FBC. This upper floor will be clad with a metal panel system which is also incorporated on the south west and courtyard elevations. These elevations are broken down in massing with the incorporation of a light tan color brick and the use of the metal panel. The inner courtyard side will be the pedestrian entry for the residential units and also a covered valet parking area. The building design has been presented at a workshop and public hearing with the Historic Preservation board and received its approval with conditions that are presently being incorporated into the final design.

The building is designed to meet the full intent of the Urban Transitional sub-district. It is a 6 story building with the 6th floor being added as a bonus floor allowed due to the mid-block permeability that we have provided in the siting. The bonus floor is set back 15 feet from the Thames Street side. The overall building height is 77 feet which includes the 65 feet for the first 5 floors and the 12 feet allowed for the bonus floor.

DIVISION 20 OFF STREET PARKING

Section 14-332 Uses requiring off-street parking.

In all zones where off street parking is required the following minimum off-street parking requirements shall be provided. Except as provided in Section 14-332.1, 14-332.2 (exceptions) and 14-345 (fee in-lieu of parking) of this division, for the uses listed below the following minimum off-street parking requirements shall be provided and maintained in the case of new construction, alterations which increase the number of units, and changes of use:

(a) Residential structures:

1. For new construction, two, (2) parking spaces for each dwelling unit.

28 condominiums @ 2 spaces/unit = 56 condominium spaces

(h) Retail stores: One (1) parking space for each two hundred (200) square feet of first floor area in excess of two thousand (2,000) square feet not used for bulk storage and one (1) parking space for each seven hundred (700) square feet, or major fraction thereof, for each floor above the first floor not used for bulk storage.

4,360 sf total area not used for bulk storage

-2,000 sf

2,360 sf / 200 sf = 11.8 or 12 retail spaces

See parking lease for Ocean Gateway Garage, including an assignment to EssexNorth LLC in Exhibit #7 Right, Title, or Interest.

Section 14-332.1 Zone specific off-street parking exceptions and modifications.

The off street parking requirements established for uses are hereby modified for the following zones according to the revisions as described below.

(h) B-6 Eastern Waterfront Mixed Use Zone: Off-street parking for all projects regardless of size shall be governed by 14-332.2(c) of this article. N/A

Sec. 14-332.2. Categorical exceptions and modifications to off-street parking requirements.

Regardless of which zone a project of use is located, the following exceptions to the off-street parking requirements listed above in section 14-332 are additionally hereby established.

(c) Site plans over 50,000 square feet and projects in the B-6, B-7, and USM Overlay Zones: Where construction is proposed of new structures having a total floor area in excess of fifty thousand (50,000) square feet, the planning board shall establish the parking requirement for such structures. The parking requirement shall be determined based upon a parking analysis submitted by the applicant and upon the recommendation of the city transportation engineer.

N/A

Section 14-332.3 Uses requiring off-street bicycle parking.

In all zones where of-street motor vehicle parking is required, minimum off-street bicycle parking shall be provided and maintained.....as specified in Section 14 - 526(a) (2) (Site Plan Standards).

This project will not provide on-site long term or permanent vehicle parking as it will be provided at the Ocean Gateway Garage through long term leases obtained by the applicant, across Fore Street. Bicycle parking for eleven bikes will be provided on-site in a bike storage room as part of this project. See Site Plan and parking lease agreement.

DIVISION 26 SHORELAND REGULATIONS
Section 14-449 Land Use Standards

(a) Principal and accessory structures: All principal and accessory structures shall be set back at least seventy-five (75) feet horizontal distance, from the normal high water line of water bodies..... except that in the following zones the setback shall be as indicated: W-PD Zone:

No setback required.

The project does not propose to locate any structures within the 75' of the normal high water line.

(b) Piers, docks, wharves, bridges and other structures and uses extending over below the normal high water line of a water body or within a wetland: New permanent structures, and expansions thereof, projecting into or over water bodies shall require a permit from the D.E.P.

N/A

(c) Clearing of vegetation.

The existing project site is completely void of any significant vegetation. It is only sparsely covered by grass and grass type weeds growing over a gravel surface.

(d) Erosion & Sedimentation Control:

Both temporary and permanent erosion and sedimentation control devices/applications conforming to the current best management practices will be used. Please see attached sheet Grading, Drainage, and Erosion Control Plan.

(e) Soils:

According to the Soil Survey of Cumberland County, published by the United States Department of Agriculture (1974); the project soils are generally cut/fill over marine clay. Please see attached Geotechnical Report.

(f) Water Quality:

No pollutants will be deposited into State waters as a result of this project. As part of this project the proposed stormwater system will ultimately tie into an existing City owned stormwater outfall which discharges into the Fore River; only after it filters through a crushed stone filter layer and is detained in the proposed underground chamber system.

(g) Archaeological Sites:

The project site has been completely disturbed by its past uses. The project site is within the City's Historic Preservation District and has received approval from Historic Preservation Commission.

(h) Installation of Public Utility Service:

This is a pre-disturbed, vacant site that will require many new utility connections which are available to tie into in the adjacent streets. All applicable utility service companies will be contacted and worked with to install any necessary new services to both their and the City's standards. As part of this project it is proposed to tie the stormwater system into an existing City owned stormwater outfall that eventually discharges into the Fore River after going through a downstream defender and our private stormwater system.

(i) Essential Services:

This is a pre-disturbed, vacant site. All applicable essential service companies and the City will be contacted and worked with to install any necessary new services.

(j) Roads & Driveways:

Roads: The project does not propose any new roads or driveways; instead it uses the adjacent road network (Fore and Thames Streets) and the common driveway off of Fore Street which will also provide access to the AC Hotel and other future development.

(k) Parking Areas:

The project does not include any permanent or long term vehicle parking on-site, but it does include an area for short term parking and valet located within the footprint of the proposed building outside of the Shoreland Zone.

(l) Septic Waste Disposal:

New wastewater connections are a part of this project. Part of this application includes a waste water analysis application to be reviewed by the City staff. We will work closely with the City to determine best methods of handling waste water.

(m) Stormwater runoff:

The existing project site is a gravel surface. The proposed condition will contain less impervious area than the current site does, thus a reduction in stormwater runoff. The current project site as well as the two other lots was included in the design of the stormwater system that will be installed as part of the AC Hotel. The system was designed to accommodate all the stormwater from the other lots and thus no stormwater design is included as part of this project. This project will tie into the overall site stormwater system which goes into an existing City owned stormwater outfall that eventually discharges into the Fore River after going through a downstream defender and our private stormwater system.

(n) Agriculture: Not Applicable.

(o) General site plan features:

The applicant feels that the proposed project meets the intent of the Shoreland Zone regulations.