

**ITEM 3**

**Town of Kittery  
 Planning Board Meeting  
 December 8, 2022**

**ITEM 3 – 3 Walker Street – Site Plan - Sketch Plan Review**

Action: Accept or deny application. Approve or deny sketch plan. Owner/applicant 3 Walker Street, LLC and acting agent Brandon Holben of Winter + Holben requests consideration of a sketch plan for construction of a mixed-use structure consisting of a 1500 sf building footprint, a ground floor retail/restaurant, and the top two floors as apartment(s) on a 5,377sf lot at real property located at 3 Walker Street (Tax Map 4, Lot 99) in the Mixed Use – Kittery Foreside (MU-KF) Zone.

**PROJECT TRACKING**

REQ'D	ACTION	COMMENTS	STATUS
NO	Sketch Plan Review	Sketch Plan Review	12/08/22
NO	Site Visit	Cannot Schedule Until Preliminary Plan Review	
YES	Determination of Completeness/Acceptance		
YES	Preliminary Plan Review		
YES	Public Hearing		
YES	Final Plan Review and Decision		

Plan Review Notes reflect comments and recommendations regarding applicability of Town Land Use Development Code, and standard planning and development practices. Only the PB makes final decisions on code compliance and approves, approves with conditions, or denies final plans. Prior to the signing of the approved Plan any **Conditions of Approval related to the Findings of Fact along with waivers and variances (by the BOA) must be placed on the Final Plan and recorded at the York County Registry of Deeds. PLACE THE MAP AND LOT NUMBER IN 1/4" HIGH LETTERS AT LOWER RIGHT BORDER OF ALL PLAN SHEETS.** As per Section 16.4.4.L - Grading/Construction Final Plan Required. - Grading or construction of roads, grading of land or lots, or construction of buildings is prohibited until the original copy of the approved final plan endorsed has been duly recorded in the York County registry of deeds when applicable.

**Background**

This is a conceptual review of a site plan to construct a new mixed-use building on the site of a single-family home (previously used as an office) that is proposed to be demolished due to disrepair and health hazards. The applicant proposes to construct a mixed-use structure, the ground floor will consist of a retail/commercial/restaurant use with a residential unit on the top two floors. The building footprint will be 1500sf and sit on the northwest corner of the 0.12-acre 5,377 sf (0.12-acre) lot which is located in the Mixed Use – Kittery Foreside (MU-KF) Zone.

**Staff Review**

- The following dimensional and use standards of the base zone and all three applicable overlay zones were reviewed:

**Section 16.4.25 Mixed Use - Kittery Foreside Zone**

- B. (2) Dwelling, Attached Single Family**
  - (27) Restaurant
  - (28) Retail

- D. (2) (a) Minimum land area per dwelling unit: 5,000 square feet.**

# ITEM 3

- 37 (b) Minimum lot size: 5,000
- 38 (c) Minimum street frontage: zero feet
- 39 (d) Minimum front yard: zero feet
- 40 (e) Minimum rear and side yard: 10 feet
- 41 (f) Minimum separation of buildings: N/A
- 42 (g) Maximum building height: 40 feet
- 43 (h) Minimum Setback form: N/A
- 44 (i) Maximum building coverage: 60%
- 45 (j) Minimum open space on the site: 40%
- 46

47 **(4) (a) [1]** The placement of buildings on the lot must acknowledge the uniqueness of the site, the  
 48 neighboring buildings, and the natural setting. Existing views and vistas must be preserved in the design  
 49 of the site and buildings, and buildings must be placed to frame, rather than block vistas.  
 50 *The building will not impede any views that were not previously constricted by the former building.*

51  
 52 **[2]** Buildings and the front elevation must be oriented facing the street on which the building is located.  
 53 The siting of buildings on corner lots must consider the placement of buildings on both streets.  
 54 *The applicant should address how the placement of entrances engage with the site and the orientation to*  
 55 *local atmosphere of the area, i.e. there will need to be an entrance on Walker Street.*

- 56 (b) N/A
- 57 (c) N/A

58 (d) Building detail, Buildings must include architectural details that reflect the historic style of the  
 59 Foreside Zone. Molding and trim must be used to decorate of finish the surface of the  
 60 buildings and doors. Eaves and overhangs should be incorporated into the design.

61  
 62 2. **Parking.** The MU-KF parking requirements are spelled out in **Section 16.3.2.15.E.** Special  
 63 parking standards. The existing parking does comply with the ordinance requirements, but the  
 64 building is proposed for demolition. The applicant states the new lot configuration is sufficient to  
 65 meet the proposed needs of both the residential and restaurant / retail uses.

66 The proposed project requires:

- 67 • (1) Residential/Dwelling Unit: 1.5 spaces per dwelling unit **3 spaces total**
- 68 • Retail: 3.25 spaces (non-res 3 space credit) **1 space total**
- 69 • Restaurant: 4 spaces (non-res 3 space credit) proposed **1 space total**
- 70 • Total: **4 spaces**
- 71

72 *The applicant is providing 4 spaces, there may be some different configuration of these parking*  
 73 *spaces and there has not been a discussion as of yet to delineate or provide a handicapped*  
 74 *accessible space. The applicant states that they are working to identify parking options off-site*  
 75 *that comply with the Town's standards but may need to seek waivers from certain aspects of the*  
 76 *requirements depending on the eventual parking locations and type of business that occupies the*  
 77 *ground floor.*

78  
 79 **Recommendation**

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 81 This is the Board's opportunity to provide guidance and specific suggestions to the applicant.

82  
 83 The sketch plan application is substantially complete. Staff finds the concept plan to be in general  
 84 conformance with the Code, with the noted exception of the parking requirements dependent upon which

## ITEM 3

85 option the applicant decides. That option should be decided upon and addressed by the applicant prior to  
86 the Preliminary Plan Review stage.

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88 The concept is in line with the comprehensive plan goal of attracting and retaining businesses in the  
89 Foreside that provides residents and visitors with places to go and spaces to gather.

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### 92 **Recommended Motions**

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#### 94 ***Move to accept sketch plan site plan application as complete***

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96 *Move to accept sketch plan site plan application by Owner/applicant 3 Walker Street, LLC and acting agent*  
97 *Brandon Holben requests consideration of a sketch plan for construction of a mixed-use structure*  
98 *consisting of a 1500 sf building footprint, a ground floor retail/restaurant, and the top two floors as*  
99 *apartment(s) on a 5,377sf lot at real property located at 3 Walker Street (Tax Map 4, Lot 99) in the Mixed*  
100 *Use – Kittery Foreside (MU-KF) Zone.*

101

#### 102 ***Move to continue the sketch plan site plan application***

103

104 *Move to continue the sketch plan site plan by Owner/applicant 3 Walker Street, LLC and acting agent*  
105 *Brandon Holben requests consideration of a sketch plan for construction of a mixed-use structure*  
106 *consisting of a 1500 sf building footprint, a ground floor retail/restaurant, and the top two floors as*  
107 *apartment(s) on a 5,377sf lot at real property located at 3 Walker Street (Tax Map 4, Lot 99) in the Mixed*  
108 *Use – Kittery Foreside (MU-KF) Zone.*

109

#### 110 ***Move to deny the sketch plan site plan application***

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112 *Move to deny the sketch plan site plan by Owner/applicant 3 Walker Street, LLC and acting agent Brandon*  
113 *Holben requests consideration of a sketch plan for construction of a mixed-use structure consisting of a*  
114 *1500 sf building footprint, a ground floor retail/restaurant, and the top two floors as apartment(s) on a*  
115 *5,377sf lot at real property located at 3 Walker Street (Tax Map 4, Lot 99) in the Mixed Use – Kittery*  
116 *Foreside (MU-KF) Zone.*

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