

Project: 3JB, LLC Mixed-Use Development  
Address: 47 - 49 S. State Street, Concord, NH  
Applicant: 3JB, LLC

## Conditional Use Permit Narrative

The project parcel at 47 - 49 S. State Street (Map 7413Z, Lot 9) is in the Urban Commercial (CU) zoning district. The parcel area is 0.66 acres (28,746 SF). The property was previously owned and operated by McLeod's Florist, with on-site parking provided for employees and customers. The project proposes removing the greenhouses and garage to construct a 2-story 3,500 SF addition for 3 residential townhouses. The commercial / retail space will be renovated. Site improvements include updates to the paved parking areas, site lighting, landscaping, and stormwater controls.

A Conditional Use Permit is requested for 28-7-11(f) *Driveway Separation Alternatives* to allow the existing driveway on South State Street to remain 174 feet from the intersection with Concord Street where 200 feet is required.

The site contains a single driveway which coincides with a 10' deeded passway. There is a 2<sup>nd</sup> shared 10' deeded passway along the southern property line which provides a 2<sup>nd</sup> means of egress. Both are located in their size and location by deeded easements. The project intends to leave the driveways unchanged.

The Conditional Use Permit meets the following criteria:

1. The use is specifically authorized in the ordinance as a conditional use.

Article 28-7-11(f) *Driveway Separation Alternatives* allows the Planning Board to permit a reduction in driveway separation through a Conditional Use Permit.

2. If completed as proposed by the applicant, the development in its proposed location will comply with all requirements for this Article, and with the specific conditions of standards established in this ordinance for the particular use.

The proposed redevelopment will continue to use the existing driveway, which is almost the required distance to the intersection with Concord Street. Due to the nature of the downtown area and length of frontage, many properties along South State Street have driveways closer to intersection than exists here.

3. The use will not materially endanger the public health or safety.

The proposed project maintains the existing condition which has existed for decades. The street parking along the South State Street frontage has been designed around the driveway location, including sidewalk ramps at the driveway.

4. The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located.

This is an existing driveway and many driveways in the neighborhood are closer than 174' to intersections along South State Street.

5. The use will not have an adverse effect on highway or pedestrian safety.

The proposed project maintains the existing condition. There are sidewalks around the property and sidewalk ramps at the driveway which facilitate safe pedestrian access.

6. The use will not have an adverse effect on the natural, environmental, and historic resources of the City.

The use will maintain the existing driveway condition, including preserving the large, mature trees which flank the sides of the driveway.

7. The use will be adequately serviced by necessary public utilities and by community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use and will not necessitate excessive public expenditures to provide facilities and services with sufficient additional capacity.

The proposed is served by water, sewer, natural gas, electricity and telecommunications. No public expenditure is required.

**CONDITINAL USE PERMIT APPLICATION CHECKLIST**

**Project Name:** 3JB, LLC Mixed Use Development **Date:** 4/15/26  
47-49 S. State Street, Concord NH 03301

**SECTION 12 General Requirements for All drawings**

**12.02 All Applications:**

- (1) *Title Block:*
- (a) Title of plan;
- (b) Name and address of the owner and applicant;
- (c) The date the plan was prepared and date of subsequent revisions; and
- (d) Name, address and seal of the licensed professionals who prepared the plan.
- (2) *Scale.*
- (3) *North Arrow and Bar Scale* except for detail drawings.

**12.03 Plan Certification:**

- (1) A New Hampshire Licensed Land Surveyor shall prepare, sign and seal the existing condition plan.
- (2) A New Hampshire Licensed Professional Engineer shall prepare, sign and seal all plans where grading, drainage and utility information is proposed.
- (3) Landscape plans shall be prepared by a New Hampshire Licensed Landscape Architect who shall sign and seal the landscape plan(s).
- (4) Architectural elevations shall be signed or sealed by a New Hampshire Licensed Architect, or a New Hampshire Licensed Professional Engineer, as allowed by the State of New Hampshire professional licensing boards.
- (5) Where wetland boundaries are required to be delineated, the delineation shall be performed by a New Hampshire Certified Wetland Scientist who shall sign and seal the plan upon which the wetland boundaries are mapped.
- (6) Where soils are required to be identified, classified, and delineated, the identification, classification, and delineation shall be performed by a New Hampshire Certified Soil Scientist who shall sign and seal the plan upon which the soils are mapped.

N/A

**12.04 Location Plan:** Each site plan application shall have on the site plan, or a cover sheet, a detailed location plan prepared at a minimum scale of 1"= 400' showing clearly the following information:

- (1) Proposed property to be developed;
- (2) Property lines;
- (3) Abutter's property lines;
- (4) Names and locations of nearby and adjacent City streets;
- (5) Names and locations of adjacent water bodies and watercourses;
- (6) Names and locations of nearby and adjacent parks, schools, churches, and other significant physical and man made features;
- (7) Nearest street intersections;
- (8) The tax assessor's map, block and lot number for abutters and the properties to be developed;
- (9) Zoning district designations and boundaries; and
- (10) Other special information which may be required by the Planning Board.

**12.05 Vicinity Plan:** Each site plan shall have on the site plan or the cover sheet a vicinity plan prepared at a scale between 1"=1000' and 1"=2000' clearly showing the following:

- (1) The location of the property to be developed; and,
- (2) Streets, water bodies, city limits, parks, schools, and other significant physical and man-made features.

**12.06 Plan References:** The following references shall be included on the site plan and existing condition plan:

- ⊗ (1) *Certificate of Ownership:* A certificate of ownership identifying each parcel, including which property is owned by each owner, and a deed citation for each deed from the Merrimack County Registry of Deeds;
- ⊗ (2) *Easements:* Plan or deed references for recorded easements, whether public or private, on the properties proposed for development; and existing easements on abutting properties, which are for the purposes of providing access, utilities or drainage to the properties proposed to be developed;
- ⊗ (3) *Existing Restrictions:* Deed reference and statement of any existing recorded covenants or restrictions relating to the use of the land proposed to be developed;
- ⊗ (4) *Prior Subdivisions or Surveys:* Plan references for prior recorded subdivisions or surveys on the properties proposed for development, or abutting said properties proposed to be development; and
- ⊗ (5) *Other Plans:* Plan references for applicable road, utility or site improvement plans, which are available in City records or are available to the surveyor or engineer preparing the plans.

○ **12.07 Wetland Delineations:** Wetland delineations are to be prepared by a New Hampshire Certified Wetland Scientist who shall sign and seal the existing condition plan and site plan. The date of the wetland delineation shall be noted on the plans.

⊗ **12.09 As-Built Drawings:** Prior to the issuance of a Certificate of Occupancy digital as-built drawings shall be provided conforming to the City Engineering Division's As-Built checklist.

### **SECTION 13 General Requirements for Documentation**

**13.01 All Applications:** The following information is required for all site plan applications except for Preliminary Conceptual Consultation Phase:

- ⊗ (1) *Authorization of the Property Owner:* The applicant for site plan review must either own the fee simple interest in the property(s) that is the subject of the review or have written permission of the fee simple owner. All applications shall include written evidence that the fee simple owner of the property has authorized the application and does not object to the application being made. Evidence shall include either the owner's signature on the application or a letter signed by the owner authorizing the submittal of the application.
- ⊗ (2) *Application Form:* A completed application form endorsed by the owner, or submitted by his agent where written authorization has been provided by the owner. A copy of the owner's written authorization needs to be attached to those applications signed by the agent.
- ⊗ (3) *Application Fee:* An application fee as set forth in Appendix A, Fees, which are due and payable upon submission or prior to the recording of any documents or plans.
- ⊗ (4) *Abutters List:* An abutters list including a list of names and addresses of all abutters as indicated in the records of the City Tax Assessor not more than five (5) days before the filing of the application.
- ⊗ (5) *Zoning Board of Adjustment Actions:* A copy of any actions by the Zoning Board of Adjustment on requests for special exceptions or variances from the City of Concord Zoning Ordinance.
- ⊗ (6) *State and Federal Permits:* A copy of any application made to a State or Federal agency required for the approval of this site plan, including those required for the development of off-site improvements.
- ⊗ (7) *Phasing Plan:* A statement describing the proposed phasing of the site plan including the time frame, percentage of total residential and non-residential uses, and the improvements and facilities provided in each phase.

○ **13.02 Special Investigative Studies or Third Party Reviews:** Special Investigative Studies pursuant to RSA 676:4 I(g), or Third Party Review pursuant to RSA 676:4-b for all or a portion of a site plan application, or impact study, shall be provided where required in accordance with Section 31, Special Investigative Studies – Third Party Review, of these regulations, or as may be specifically required by the Planning Board in order to satisfactorily complete its review of a proposed application.

### **SECTION 15 Application Requirements for Conditional Use Permit plans**

#### **15.01 General.**

- ⊗ (1) A narrative addressing the criteria set forth in the Zoning Ordinance for the Conditional Use Permit(s) requested, and the general criteria for the issuance of Conditional Use Permits in Article 28-9-4(b);
- ⊗ (2) All items set forth in Section 14.02, Design Review Phase Requirements;

TO BE PAID  
ELECTRONICALLY

**14.02 Design Review Phase Requirements.**

**(1) Site Analysis Plan** shall show:

(a) Natural Features: The following information both on and adjacent to the site to be subdivided:

- N/A i. Identification of wetlands and wetland buffers;
- ii. Vegetation survey showing fields, swamplands, wetlands, grasses, shrubs and trees (deciduous and evergreen);
- N/A iii. Rock outcrops, ledges, surface water, streams, seasonal or permanent water bodies or water courses including any known flood elevations, as well as identification of high water marks;
- iv. Important views of and from the site;
- N/A v. Orientation to the sun and direction of prevailing winds;
- vi. Contour lines at a minimum of two (2) foot intervals with ten (10) foot contour intervals highlighted;
- N/A vii. Slopes in excess of fifteen percent (15%) and in excess of twenty five percent (25%);
- N/A viii. Identification of bluffs and buffers to bluffs;
- ix. Identification and classification of the extent and types of soils using the USDA Natural Resource Conservation Service System;
- x. Wellhead protection areas;
- N/A xi. Wetland Delineation;
- N/A xii. Wetland buffers; and
- (b) Man-made Features: The following items, both on and adjacent to the site to be developed, are required to be shown at a minimum, but are not exclusive:
  - i. Location of utilities including any specific rights-of-way; the size of sanitary sewers; water mains, storm sewers, including surface and subsurface drainage systems; and non-municipal utilities including overhead transmission lines;
  - ii. Identification of municipal special district boundaries;
  - iii. Location and purpose or use of building and structures;
  - iv. Location of walls, fences and wells;
  - N/A v. Location of existing conservation and open space easements, and easements for utilities, storm drainage, slopes, vehicular and pedestrian access;
  - vi. Public streets and highways and mapped future streets as defined on the Official Map;
  - N/A vii. Railroad tracks and rights-of-way, and airport approach zones;
  - viii. Driveways, curb cuts, and parking lots;
  - N/A ix. Any historic structures or sites listed or eligible for the National or State Registers of Historic Places, and any historic markers;
  - N/A x. Any cemeteries, stone walls or foundations, or known archeological sites; and
  - xi. Public and private recreation areas, parks and open space.
- (c) Proposed highways or other major public improvements planned by public authorities for future construction on or in proximity to the site;
- (d) Planned private improvements on or in proximity to the site, including any previously approved subdivision or adjacent site plan;
- N/A
- (e) Any other significant man-made or natural features which have relevance to the development of the site; and
- (f) Photographs of the site showing existing features and conditions. Notes shall be made of camera locations, direction, view, and key numbers.

**(2) Proposed Site Layout Plan:** A proposed site layout plan shall show:

- (a) The approximate location, number, and type of parking spaces, the location of loading areas, interior landscaping, access aisles and storage or display areas for motor vehicles;
- (b) The approximate location of pedestrian and/or bicycle facilities including those along the frontage of the property;
- (c) All driveway and access locations including approximate locations of interconnected parking lots, or other shared access;
- (d) The approximate location and size of buildings and structures;

- ⊗ (e) The location of perimeter yards, buffer yards and fences, and other landscape or open space areas;
- ⊗ (f) Tabulations of the gross land area and buildable land area, approximate lot coverage of buildings and impervious surfaces, parking lot area including aisles and driveways, required open space, number of dwelling units, residential density, square footage of non-residential uses, and ; and
- ⊗ (g) Any proposed impacts to wetlands and bluffs, buffers to bluffs and wetlands, Shoreland Protection (SP) District buffers, and Aquifer Protection Areas.

**(3) Site Utility and Drainage Layout Plan:** A site utility and drainage layout plan shall show the following:

- ⊗ (a) The location of existing sanitary sewers and/or septic systems, water mains and/or potable wells, culverts, and existing utility poles;
- ⊗ (b) Existing utility rights-of-way;
- ⊗ (c) Existing drainage facilities and the approximate layout of all proposed storm drainage facilities, including detention and retention ponds and drainage swales;
- ⊗ (d) Preliminary proposals for connection with existing water supply and sanitary sewage systems or alternative means of providing water supply and sanitary waste treatment and disposal; and
- ⊗ (e) Existing non-municipal utilities on, or adjacent to the site, and the approximate layout of non-municipal utilities proposed.

- ⊗ **(4) Other Requirements:** The Board may require further detailing of information and additional meetings, before advising the applicant to proceed with a formal application for a major site plan.