

# Chapter 3

## DOWNTOWN AND COMMERCIAL CORE

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### INTRODUCTION

This chapter focuses on identifying the issues important to creating a successful downtown and commercial core. A review of previous studies was conducted, including the goals, objectives, and strategies contained in the “Town of Durham Community Development Plan – 1995.” Much of the Community Development Plan has been incorporated into this chapter with necessary updates and revisions. Other reports and plans reviewed include the Main Street Program Resource Team Visit, the 1989 Durham Master Plan, and UNH’s Master Plan.

The downtown and commercial core has been divided into six distinct areas, each of which have specific goals and recommendations (see map of Downtown and Commercial Core at pg. 3.3):

1. **Downtown**, which includes all of the Central Business Zoning District.
2. **Professional Office and Multi-Unit District**, which is a proposed new zone including the area along Madbury Road from Main Street to Dennison Road to Bagdad Road and to Strafford Avenue.
3. **Church Hill**, which includes Main Street and Newmarket Road to the Oyster River Bridge in the Historic District.
4. **Gasoline Alley**, beginning at Main Street and Route 108 and ending at Schoolhouse Lane.

5. **Coe’s Corner**, Dover Road from Schoolhouse Lane to the Route 4 Bypass on the west side of Dover Road and to Stone Quarry Drive on the east side of Dover Road.
6. **Route 4 Bypass to the Madbury town line.**

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## **DOWNTOWN**

### **CENTRAL BUSINESS DISTRICT**

#### *Background*

Downtown Durham, in many ways, owes its location and present appearance to the arrival of the University of New Hampshire (formerly New Hampshire College of Agriculture and Mechanic Arts) on Benjamin Thompson’s old Warner Farm in 1893. Prior to its arrival, Durham was a prosperous settlement inextricably tied to Great Bay, Little Bay, and the Oyster River - the highways of the seventeenth, eighteenth, and nineteenth centuries. Shipbuilding, farming, brick making, and lumbering were the highly profitable industries of that time, with the commercial center of Durham at the Oyster River falls. In the nineteenth century a small farming village formed at the junction of the road network and later the railroad. The arrival of the New Hampshire Land Grant College from Hanover forever changed the economics of this farming village. The impact of the college on Durham in the early years transformed it into a college town with new buildings and an influx of faculty and students. Over time, commercial buildings inched their way up Main Street to meet the campus, and University buildings inched their way down Main Street to meet the downtown. What exists today is a commercial core area that was initially designed for University students, faculty, and staff, but now also strives to fulfill the needs of a growing residential population, a portion of which has no association with the University of New Hampshire. Retail and service enterprises downtown work hard to balance their products for both markets.

The Central Business District has evolved over time to its present mix of apartments, primarily occupied by UNH students, retail businesses, and a few commercial uses. Concentrated in a small area of 33.25 acres, which is 0.23% of Durham’s land area, the retail/commercial area is centered primarily on the Main Street/Pettee Brook Lane road loop and extending to Mill Plaza. The portion of the district between Pettee Brook Lane and Garrison Avenue consists mainly of apartments and University-owned property, while the Mill Plaza to the south, with its back to the Main Street businesses, is more characteristic of a roadside mall.





The businesses in the Central Business District provide an important commercial center for both residents and students, and as such should be encouraged to continue to develop. The downtown provides an identifiable area that is the commercial center of Town, and this is critical to the perceived character of the Town. There are issues however, that need to be addressed in the Central Business District. The vehicular traffic flow in downtown with its one-way loop around Main Street and Pettee Brook Lane has been designed primarily to accommodate vehicles. This is in conflict with pedestrian circulation, as evidenced by the constant crossing of pedestrians outside of the crosswalk areas. Traffic and pedestrian access to Mill Plaza is also a significant component of the conflict. There is a definite need to promote pedestrian use in the commercial core, particularly given the large number of students on the periphery of the UNH campus utilizing the restaurants and stores downtown.

The uses located downtown, often dominated by student-oriented retail businesses, are an issue that is of concern. Promoting uses that offer a wider variety of goods and/or services for local residents and UNH faculty and staff, as well as for students, would bring a greater variety of people downtown and encourage a stronger identity for Durham. This is in keeping with the desire to prevent sprawl elsewhere throughout town. Addressing the types of uses downtown may also contribute to resolving the third issue of concern, the physical character and appearance of the downtown. The image of downtown, with its combination of public spaces, sidewalks, parking lots, and especially the private buildings, is inconsistent in style and massing of buildings, and fails to create an attractive character. The traditional commercial center of a small town with its continuous street facade of multi-story buildings, similar to Portsmouth, Dover, or Hanover, is a desirable image that establishes a town's commercial identity.

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## **DOWNTOWN ISSUES, GOALS, AND RECOMENDATIONS**

The Master Plan is a vehicle that can be used to help Durham's Central Business District meet the following vision:

### **VISION**

Downtown Durham should be an attractive and vibrant commercial center of the community where desirable retail and commercial growth can occur in a safe and friendly environment.

## **ISSUE – TRAFFIC:**

Downtown Durham enjoys a relatively high volume of pedestrian traffic due to its proximity to the University. Many students live in the downtown area and walk to campus. There is also a draw to the downtown businesses from the campus. This pedestrian use is a valuable asset to the downtown.

In conflict with this pedestrian activity, the Main Street and the one-way loop through downtown on Pettee Brook Lane include a heavy concentration of through-traffic and traffic circulating around the loop. This is evidenced by a traffic count of 11,459 vehicles per day on Main Street (between Pettee Brook Lane and Mill Road) when UNH is in session, and a count of 14,305 vehicles per day on Pettee Brook Lane. Based on a town-wide traffic study by Strafford Regional Planning Commission, the count is approximately 47% less when UNH is not in session. The one-way loop was analyzed in the past in the 1993 traffic study by Vanasse Hangen Brustlin, Inc. and reviewed in the 1995 Community Development Plan. The earlier decisions have been to maintain the one-way loop due to its high vehicular capacity, greater safety, and resulting decrease in air pollution. At the same time, consideration to pedestrians has been a strong concern. These previous decisions are further reflected in the new road improvements constructed during the Summer of 1999 that included traffic calming features, one-way angled parking, and improved crosswalks. Recognizing that many traffic studies completed to date recommend the continuance of the one-way loop in downtown, the focus should be to look at what can be done to further enhance the pedestrian access to businesses and the University throughout the downtown, and how to provide alternative routes to other parts of Town.

A second issue with vehicular and pedestrian circulation in the Central Business District is access to the services and businesses located at Mill Plaza. Pedestrians and vehicles access the plaza for many different services, which include a grocery store, a pharmacy, restaurants, a video store, cleaners, and other businesses. Although many vehicles access the plaza from the Main Street/Pettee Brook loop, there is a significant amount of traffic accessing the plaza by utilizing Mill Road from the south and Mill Pond Road/Faculty Road from the east and south. There is an estimated vehicle count of 4,000 vehicles per day on Faculty Road when UNH is in session. There is presently only one vehicular access to Mill Plaza, along with pedestrian paths from Faculty Road, Chesley Drive, and Main Street. Providing a second means of vehicular access would benefit the plaza, especially the east building of the plaza, and could remove traffic from residential areas along Mill Pond Road and Faculty Road.

This issue is discussed in a recommendation under "Issue - Land Use" later in this chapter.

A third issue with vehicular and pedestrian circulation in the Central Business District is the availability, type, and interconnection of parking. With the exception of the Mill Plaza, businesses in the downtown rely on public parking, and some provide private parking via small parking lots with poor traffic circulation. Public parking is provided by on-street parking along Main Street and Madbury Road, and by two public parking lots. The public parking lot at Pettee Brook Lane and Madbury Road (a.k.a., the "Store 24 Lot") is leased by the Town from the University, whereas the second public lot on Pettee Brook Lane (a.k.a., the "Don Thompson Lot") is owned by the Town.

### **GOAL #1:**

**Create an environment in downtown Durham that is less vehicle oriented and is more pedestrian oriented and balances the needs of all modes of transportation.**

#### *OBJECTIVE #1:*

Create a safe environment for pedestrians, bicyclists, and motorists.

#### *RECOMMENDATIONS:*

1. Implement Main Street enhancements for all of Main Street to ensure traffic calming. Construction recently completed on Main Street includes traffic calming measures such as narrowed roadways at crosswalks, appropriate locations for crosswalks, and improved sidewalks. Future improvements should be done in areas such as Pettee Brook Lane, Jenkins Court, Mill Road, Main Street from Coe's Corner to Mast Road, and Madbury Road.
2. Implement and provide funds for a sidewalk improvement plan, in accordance with those recommended in the Transportation chapter.
3. Provide connections for pedestrians, including sidewalks and bike paths, linking the downtown, the University, Church Hill, Mill Pond, the Town Landing, Gasoline Alley, Jackson's Landing, and the schools.

#### *OBJECTIVE #2:*

Provide alternative routes to and through downtown.

**RECOMMENDATIONS:**

1. Examine alternate access to Mill Plaza. This strategy is intended to reduce traffic accessing the Mill Plaza from the east side of town that is presently using either Faculty Road to Mill Road, or the downtown loop. The traffic count on “residential” Faculty Road is estimated at 4,000 vehicles per day when UNH is in session. See discussion concerning Mill Plaza for further rationale concerning a second access to the plaza.
2. Examine the UNH loop road. UNH is proposing a loop road that would connect with the downtown. The present proposed plans depict a connection in the downtown at Pettee Brook Lane, and this connection is not acceptable due to concerns with traffic flow. As proposed, the plans create an untenable intersection where the two-way UNH loop road connects to the one-way Pettee Brook Lane loop. Full engineering analysis and Town review should be performed in the immediate future to resolve conflicts between UNH’s plans and downtown circulation. Impacts on Town businesses should be evaluated as part of this review. The connections to Mill Road should also be evaluated to determine if there is a positive or negative impact on downtown business and traffic.
3. Study and implement improved northern transportation linkages from the Route 4 bypass to Main Street. The daily influx of UNH commuters and events taking place at the Whittemore Center have a negative impact by increasing traffic in residential areas including Madbury Road and Edgewood Road. Vehicles coming from the north (Madbury Road) and east (Route 4) drive through residential areas to reach parking and other destinations. This traffic could be relieved by providing direct access via improved transportation linkages from Route 4. This will be more important if UNH’s performing arts facility is built where planned and if daily rail passenger service is provided. When the Durham Route 4 Bypass was planned in 1961, the route now known as the “northern connector” was endorsed by the Town and UNH, and it was due to be built within five years of the completion of the bypass. The original approvals were intended to alleviate traffic passing through downtown, including UNH commuters. The University no longer supports the northern connector and does not want it to impact the outdoor forestry laboratory in the area of the original northern connector route. It is necessary for the needs of the Town that improved transportation options be comprehensively studied, including potential northern connector routes, which includes the closure of Madbury Road at Route 4, with the goal of minimizing the UNH traffic impacts on the Town. This issue is also discussed in the Chapter 6 – Transportation.



4. Study and implement improved southern transportation linkages between Route 108 and Mill Road. Traffic from the south coming into Town on Route 108 accesses the University via Main Street or Mill Pond Road to Faculty Road. A southern transportation link should be evaluated to determine if providing an alternate southern access is beneficial. The planned improvements and signalization at the Route 108 and Main Street intersection may further impact the need for this alternate route.
5. Rail Service. The pending operation of weekend passenger rail service to the Durham/UNH train station has a potential for daily rail commuter use. This could be a positive service for UNH and Durham residents for commuting, but it could also increase traffic if it becomes a regional commuter stop. Further study is required to determine the effect that daily rail service in Durham will have on traffic patterns.

## **GOAL #2:**

**Provide parking areas in the downtown that accommodate the retail and commercial needs, maximize number of parking spaces, move traffic through efficiently, are well landscaped, and blend with the desired character of downtown.**

### *OBJECTIVE #1:*

Develop a parking plan that addresses business needs and the demand for UNH parking.

### *RECOMMENDATIONS:*

1. Inventory existing available parking, types of spaces, transit connections, and the coordination and connections among parking lots.
2. Prepare options for parking solutions. This may include a mix of encouraging carpooling, especially for persons going to UNH, more convenient public transportation, and/or providing surface parking and/or parking garages to solve the parking for downtown.
3. The Town and UNH should work cooperatively to provide parking necessary for a dense downtown and for UNH commuters. UNH should be encouraged to address its parking policies.
4. The Town should make parking available for commercial uses, while limiting availability for commuter uses.

*OBJECTIVE #2:*

Study the cost/benefit of a parking garage.

*OBJECTIVE #3:*

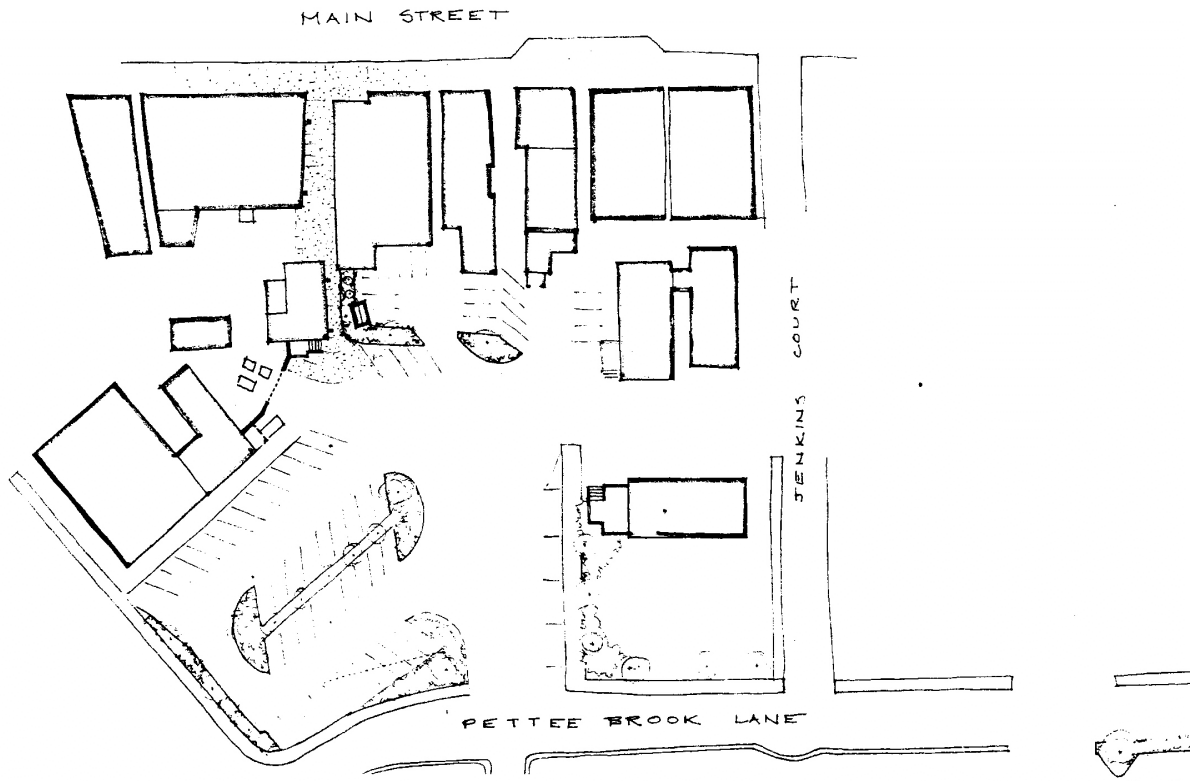
Redesign and construct the Store-24 parking lot so it is efficient, retains mature trees and shrubs, and screens the unsightly dumpsters.

*RECOMMENDATIONS:*

1. Implement a similar design for the Store 24 parking lot to the one shown in Figure 3.1, originally in the 1995 Community Development Plan.
2. Determine responsibility for keeping dumpster areas clean.
3. Adopt an ordinance requiring that all existing and new dumpsters in the Central Business District be effectively landscaped and screened from view in order to keep trash within the screened area.
4. Evaluate the benefits of acquiring this parking lot, which is presently owned by the University.

*OBJECTIVE #5:*

Improve the efficiency of space, appearance, and safety of Pettee Brook lot, including the meter system.

**Table 3.1. CONCEPTUAL REDESIGN OF THE STORE-24 PARKING LOT**

### ISSUE – LAND USES:

Durham’s Central Business District (CBD) is a very small but vital part of our community. It is valuable both as a center of commerce where goods and services are purchased and sold and as a social center. The Central Business District is presently a mix of apartments primarily occupied by UNH students, retail businesses, and a few commercial office uses. Opportunities exist to improve the contribution made to the whole community by the CBD. In order for Downtown to grow and prosper it must achieve economic critical mass. The rules and regulations of the Town must be re-evaluated to encourage such growth. Creating a “critical mass” of shopping and service opportunities is necessary to overcome the first two factors listed below. A quantitative model that projects the square footage necessary to support a reasonably complete suite of market offerings was not developed for this Master Plan; however, the current retail/commercial space falls far short of creating sufficient “critical mass.”

Research by the Durham Main Street Program provides substantial evidence that a majority of residents' commercial needs are not satisfied within Durham. Although there is no definitive data as to the reasons for this, it is likely that three major perceptions account for this:

- Downtown Does not have What Shoppers Want: It is not possible to obtain in Durham all of the goods and services that residents, students, and visitors desire; this leads to shopping trips where offerings are more diverse and complete.
- Downtown is not Convenient: It is a common perception that goods and services that are available are less convenient; this leads to shopping as an adjunct to commuting or other activities.
- Downtown Goods and Services are Expensive: It may be widely believed that available goods and services may be priced higher than alternatives outside Durham, leading to the price-driven shopping trips.

A financially healthy downtown and commercial core can create opportunities for establishing and maintaining a strong and positive sense of community. It can also maximize value of properties within the downtown for assessment purposes, shouldering a property tax burden that is disproportionate to its modest land area. Since there are not large parcels of undeveloped land in or adjacent to the CBD, Durham can only achieve this “critical mass” by redevelopment and/or “densification” of the existing CBD, with a view to creating more of the business spaces that are needed. This may require that some of the existing uses (fraternity, sorority, and apartment housing) be reduced or restructured to allow for commercial expansion. Incentives and regulations should be developed that encourage the creation of more commercial-oriented activities and that encourage increasing the density of commercial space downtown. The easiest existing space in the CBD in which to increase density is the Mill Plaza. It is a large parcel with a single owner and has expansion potential either vertically, horizontally, or both. This expansion is probably not economically feasible without substantial improvement(s) to the access/egress currently available to the site. Other parcels with single-story buildings and unused land area should also be encouraged to expand.

Durham also has the opportunity as a university town to capitalize on its student population in a very positive manner. The desirability of living downtown immediately adjacent to and within walking distance of the UNH campus makes downtown a prime location for student rental apartments. This is evidenced by the large number of buildings with student apartments as “grandfathered” or “vested” uses (i.e., not presently

allowed by zoning). It is appropriate that the Town develop the student rental apartments as an asset rather than as a burden. Allowing student rental apartments downtown will continue to create a walking population, and those students' vehicles will not be part of the daily commute adding traffic to the Town. Students living in the downtown contribute to the vitality of the downtown. Furthermore, allowing apartments can create other incentives for developing commercial space and will make it easier and more competitive for property owners to maintain and improve their properties.

**DEFINITION OF  
GRANDFATHERING**

Grandfathering is the colloquial term used for the right of vesting under zoning law. When a use or building is grandfathered this means the use or building was legally in existence prior to a zoning or land use regulation from which it is in noncompliance. Grandfathered uses and buildings can continue to exist and operate without having to comply with the zoning or land use regulation; however, expansions of the use or building, in most zoning ordinances, requires compliance with the local land use regulations and/or zoning ordinance.

**GOAL #3:**

**Create a downtown Durham that has available a wide a range of retail and other commercial uses, including the creation of a Professional Office District adjacent to the Central Business District.**

**OBJECTIVE #1:**

Encourage business development and expansion for retail and commercial uses to reside in the CBD, on Church Hill, and in Gasoline Alley to prevent sprawl in other parts of town.

**RECOMMENDATION:**

Modify zoning regulations to match the objective. See the last goal in the downtown section of this chapter for specifics.

**OBJECTIVE #2:**

Perform a cost/benefit study to determine if a second means of access to Mill Plaza would relieve congestion, help with traffic circulation, encourage development of the plaza, and have an economic benefit to the Town.

**RECOMMENDATION:**

Evaluate and provide a second access to Mill Plaza via one of the following options. *There may be other possible ways to achieve a second access to the plaza that should also be evaluated.*

***Option A: Access to Mill Plaza via an extension of Church Hill Road***

**Positives**

- Reduces traffic on Mill and Faculty Roads.
- Opens backside of Church Hill for commercial use.
- Improves walk to Mill Plaza from elderly housing.

**Negatives**

- Land acquisition costs would be high.
- Road construction costs would be high, estimated to be \$500,000 to \$1,000,000 including land acquisition costs.

***Option B: Two-way access from Main Street in the area of the Grange.***

**Positives**

- May reduce traffic on Mill and Faculty Roads.

**Negatives**

- Land acquisition costs are high.
- Road construction costs are high due to slope and ledge.
- May not alleviate traffic on Main Street from south or east due to traffic avoidance of the Main Street/Route 108 intersection.
- Big grade difference to resolve.
- Does not alleviate traffic on the Main Street/Pettee Brook loop nor does it improve access to the plaza.

*Chesley Drive should specifically be **excluded** from evaluation as an option for improved access to Mill Plaza for the following reasons:*

- Strong historic and continuing opposition from the entire neighborhood, not just the residents from Chesley Drive. Neighborhood residents have stated that they prefer to put up with the current traffic on their streets rather than to alter the nature of the current footpath through the woods to the Mill Plaza.
- The problems with the orientation, parking, and landscaping of the Plaza.
- The degradation of residential property values that would result from a Chesley Drive connection.
- The broad impact on and the lack of access to the Mill Pond Greenway, natural resources, and pedestrian access.
- The poor sight distance at Mill Pond Road.
- The desire to maintain Chesley Drive as a "pocket neighborhood."

- The desire to maintain pedestrian and recreational access to the Mill Plaza and downtown.

This recommendation to exclude Chesley Drive from consideration was made due to the above stated reasons, after consideration was given to the potential positive aspects of such a connection which include:

- Properties could be zoned for business, allowing residents to capture value.
- The road is in place and would be inexpensive to connect. Cost of connection is estimated at \$50,000 to \$100,000.
- The connection would reduce traffic on Mill and Faculty Roads.
- No property acquisition is required.
- The Town would have additional commercial land if the Chesley Drive area were commercially zoned.

#### *OBJECTIVE #3:*

Promote mixed-use (apartments/retail/commercial) development to encourage in-fill and increased density and height in the built environment.

#### *RECOMMENDATIONS:*

1. Expand office/retail space by allowing apartments to be included as a mixed use on the second and third floors of three-story buildings and on the third and fourth floors of four-story buildings with two floors of commercial space. This plan will provide economic stability due to the income from apartment rentals and will also increase available commercial space.
2. Eliminate commercial and residential use parking requirements in the CBD in order to encourage full commercial development of properties to the street and property lines.

#### *OBJECTIVE #4:*

Create a new zone, Professional Office District, along Madbury Road.(See Downtown and Commercial Core map, page 3.3) See discussion in the Professional Office District section of this chapter.

**GOAL #4:**

**Create a physical and psychological linkage of the Mill Plaza with Main Street and the rest of downtown Durham.**

*OBJECTIVE #1:*

Enhance Memorial Park to improve pedestrian linkage between the downtown and Mill Plaza and to encourage pedestrian safety.

*OBJECTIVE #2:*

Consider careful placement of additional crosswalks.

*OBJECTIVE #3:*

Expand the Main Street Enhancement Project from the Summer 1999 to a complete downtown enhancement project. This refers to enhancements throughout the downtown, including Jenkins Court, Pettee Brook Lane, Madbury Road, Mill Road, and Main Street.

*OBJECTIVE #4:*

Create a link from Main Street to the Mill Plaza entrance via an extension of improved sidewalks on both sides of Mill Road.

*OBJECTIVE #5:*

Improve Mill Plaza with architecture that most closely resembles the desired townscape, along with better landscaped parking areas and open space. Some examples include improvements to facades and fenestration, compatible roof lines, and scale of buildings.

**ISSUE – IMAGE:**

The physical character of the Central Business District includes many buildings that abut each other in a traditional downtown manner, but there is not a cohesive appearance due to the varied one story to three story mix of buildings and the wide range of styles. The image and the reality that an active, dense downtown presents is considered desirable, particularly when the downtown has a strong pedestrian presence, as is the case with Durham's downtown. It is important to promote development that will further improve the character, vitality, and pedestrian use of the downtown. Creating and improving the image of downtown can be achieved through unifying the character of its buildings; maintaining the buildings; paying attention to the overall visual effect of the street, including the sidewalk and pavement materials, style of lighting, signage, and landscaping; removing the overhead power lines, and again by making



downtown a pedestrian environment with people always in view. These image issues need to be addressed, and most importantly, businesses need to be encouraged to improve and expand their buildings.

**GOAL #5:**

**Improve appearance to make downtown welcoming.**

*OBJECTIVE #1:*

Encourage private landowners to take advantage of property improvement programs that are available, such as those that might be available through the Durham Business Association and the Durham Main Street Program. .

*OBJECTIVE #2:*

Improve signage.

*RECOMMENDATIONS:*

1. Develop regulations that are more clear, more business friendly, and result in aesthetically pleasing improvements.
2. Create an informational kiosk to disseminate materials to members of the community as well as visitors to the town.

*OBJECTIVE #3:*

Improve appearance of parking areas in Central Business District through improvements such as landscaping and other design changes.

*OBJECTIVE #4:*

Develop mandatory architectural standards.

*RECOMMENDATIONS:*

1. If parking is provided, locate it to the side or rear of the building and screen it with landscaping.
2. Develop guidelines to promote desirable massing and scale without restricting style.
3. Screen dumpsters with appropriate structures and landscaping.  
Develop incentives to upgrade existing dumpsters.

**GOAL #6:**

**Modify Zoning Regulations to encourage dense building construction in the CBD.**

*OBJECTIVE #1:*

Improve the regulatory process to support and encourage new construction, expansion, and renovation of business in the CBD.

*RECOMMENDATIONS:*

1. Provide more time for staff review of site and building plans, maintain a full complement of staff, and rely on staff reviews.
2. Eliminate inconsistencies in the Zoning Ordinance and development regulations.
3. Reduce restrictions on change in use and streamline the administrative process.

Provide an economic development person to provide assistance to and advocate on behalf of the applicants throughout the development review process.

*OBJECTIVE #2:*

Modify the following Zoning requirements to encourage/require dense development:

*RECOMMENDATIONS:*

1. Require two-story buildings as a minimum.
2. Consider creating maximum setbacks along the street and side property lines in order to keep buildings close to the street and to each other.
3. Set a maximum building height of three stories for mixed use buildings that have commercial uses on the first story and apartments on the top two floors; however, permit up to four stories (50') when commercial/office uses are on the first two floors and apartments on the top two floors.

4. The Town’s existing ordinance concerning life safety and building codes are in some instances more restrictive than is required by State codes (e.g., sprinkler requirements). The Town should research incentives to minimize costs to abide by these requirements, such as tax credits.
5. Eliminate parking requirements in the Central Business District as previously discussed in Goal #3.

<b>DOWNTOWN USE RECOMMENDATIONS</b>	
<p><b><u>Acceptable</u></b></p> <ul style="list-style-type: none"> <li>Hotel/motel</li> <li>Bed and breakfast, owner occupied</li> <li>Accessory apartment</li> <li>Elderly housing</li> <li>Mixed use (office/retail on lower floors, multi-unit dwellings on upper floors)</li> <li>Accessory structure</li> <li>Retail stores/personal services</li> <li>Restaurant</li> <li>Restaurant/carry-out</li> <li>Professional offices</li> <li>Bank</li> <li>Day care</li> <li>Theaters/clubs</li> <li>Parking facilities</li> <li>Crafts/retail with accessory production</li> <li>Business services</li> <li>Convenience store</li> <li>Specialty shop</li> <li>Galleries</li> <li>Community Center</li> </ul>	<p><b><u>Conditional</u></b></p> <ul style="list-style-type: none"> <li>Fraternity/sorority (overlay district)</li> <li>Recreational facility</li> <li>Religious</li> <li>Educational facility</li> </ul> <p><b><u>Not Acceptable</u></b></p> <ul style="list-style-type: none"> <li>Single-family residence</li> <li>Boarding house</li> <li>Duplex</li> <li>Dormitory</li> <li>Rooming house</li> <li>PUD</li> <li>Multi-unit dwelling, on first floor</li> </ul>

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## **PROFESSIONAL MULTI-UNIT OFFICE DISTRICT (PROPOSED)**

### **BACKGROUND**

Adjacent to the Central Business District (CBD) along Madbury Road is an area with a predominance of fraternities, sororities, and apartments, as well as an elderly housing complex, a medical clinic, and a few single-family homes. This area runs along the east side of Madbury Road from Cowell Drive to Garrison Avenue and along both sides of Madbury Road and Stafford Avenue from Garrison Avenue to Bagdad Road (see map of Downtown and Commercial Core). This area is presently zoned as Residence A, which allows office uses on arterial streets such as Madbury Road. Expanding the CBD into this area has been considered, but this change would bring all of the CBD's permitted uses further from the Town's existing commercial/retail areas and closer to single-family neighborhoods. Such a change would have a negative impact on these neighborhoods and on the goal of focusing these retail activities in the Central Business District and on Main Street.

Although the predominant use in the area is multi-unit housing, there is strong sentiment to encourage a change to professional office use, and to allow multi-unit housing uses. The desire is to expand the commercial core with uses that help in transitioning between the CBD and residential areas, through the creation of a new zone designated the Professional Office and Multi-Unit District. Rezoning would accommodate the desire for more office space that is essential to the vitality of the downtown without sacrificing Durham's residential neighborhoods.

The reason multi-family units should be a permitted use in the new Professional Office District is because there is a greater likelihood of improvements to apartments if they are a permitted use. Owners are also unlikely to experiment with different uses if they are unable to return to a profitable use such as an apartment. The goal is not to encourage more apartments, but to encourage greater mixed use and better maintenance of existing apartments. Allowing apartments may increase competition for better units, thus improving all the apartments.

One of the characteristics of this section of Madbury Road is the existence of a group of handsome fraternity/sorority buildings set back from the road with large front lawns. The scale of these and other buildings provides a desirable transition between the Central Business District and the residential neighborhoods further down Madbury Road. It is important

to preserve both the handsome buildings and their setting in the landscape, although it is envisioned that the buildings could also serve other uses.

## **VISION**

Create a professional office and multi-unit residential zone along Madbury Road to promote office/business uses.

### **GOAL #1:**

**Encourage expansion of professional office uses through conversion/expansion of existing buildings or new construction along Madbury Road.**

#### *OBJECTIVE:*

Provide additional areas for development of professional office uses.

#### *RECOMMENDATIONS:*

1. Create a new zone within the boundaries of Madbury Road, Cowell Drive, Dennison Road, Bagdad Road, Garrison Avenue, and lots on both sides of Strafford Avenue (to the bend) that permits professional office and multi-unit residential uses (See map of the Downtown and Commercial Core).
2. Concentrate location of business activity by limiting uses beyond Bagdad Road to residential uses.

### **GOAL #2:**

**Encourage conversion of buildings to uses other than the existing apartment and fraternity/sorority uses.**

#### *OBJECTIVE #1:*

Limit permitted uses to those listed at the end of this section, with an emphasis on office and business uses.

#### *OBJECTIVE #2:*

Identify and protect the character of historic buildings along Madbury Road according to the Natural Register.

#### *RECOMMENDATIONS:*

1. Protect the open area in front of these buildings by establishing setback requirements.

2. Preserve open area in front of buildings by not allowing parking in the front of buildings.
3. Consider designating these buildings to be within the Historic District.
4. Eliminate Greek housing as a permitted use. Allow conversion of apartments to fraternities/sororities, subject to a conditional use review.

*OBJECTIVE #3:*

Review carefully the limits of this proposed zone in the Madbury Court area.

**GOAL #3:**

**Encourage well-maintained and well-managed multi-unit dwellings in the Professional Office District that are suitable for residents and students.**

*OBJECTIVE #1:*

Encourage mixed-use activity in the zone that is consistent with residential use.

*RECOMMENDATIONS:*

1. Permit multi-unit dwellings in the zone. Establish appropriate density controls for number of bedrooms per acre.
2. Require on-site managers for buildings with a certain number of units or bedrooms.
3. Eliminate zoning requirements for additional lot area for each additional dwelling unit.
4. Evaluate adoption of a property maintenance code to require adequate maintenance of buildings.
5. Establish reasonable parking requirements to reflect the fact that some of the units will serve UNH students who do not have cars.

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## **CHURCH HILL (PROPOSED DISTRICT)**

*(Main Street and Newmarket Road to the Oyster River bridge)*

### **BACKGROUND**

Heading up Main Street from downtown is the Church Hill area with its fine collection of eighteenth- and nineteenth-century houses built by the movers and shakers of Durham's past, when the Town played a pivotal role in the Revolutionary War and in the formation of the nascent Federal and State governments. The top of the hill is crowned with the white steeple of the Community Church, a familiar visual landmark from several vantage points. On the east side of Church Hill one passes the Richardson Tavern where meetings of the Selectmen were held before the 1850 acquisition of the brick Old Town Hall located at the foot of Church Hill, at the intersection of Main Street with Newmarket Road. From the Old Town Hall to the Oyster River Bridge is the historic mercantile center of Durham connected to the Town Landing at the Oyster River where ships built in Durham took lumber, bricks, granite, and farm crops to seacoast markets and beyond in return for goods from around the world. Church Hill also has a fine collection of old and new buildings of similar design and scale, all adapted to twentieth century uses, including the new federal-style First Savings of New Hampshire bank, and the recently renovated Three Chimneys Inn. The Oyster River dam, with the landing on one side and the Mill Pond on the other, is a favorite scenic spot for young and old alike in all four seasons of the year.

Thirty-five years ago the historic homes on Church Hill provided gracious living spaces for many older Durham residents in homes and apartments. As these older residents passed away, University students increasingly occupied apartments, and other owners of single-family homes converted to more profitable apartments on Church Hill. Students sought apartments first because of insufficient on-campus housing, then later because of students' desire for off-campus housing close to UNH. The lifestyles of students and older residents are not very compatible. Thus today very few older residents live in this area. Presently, the Church Hill area consists primarily of rental apartments occupied by students, with some limited commercial uses on the Newmarket Road end and at the edge of the CBD, plus a few single-family homes on the periphery. The rental apartments are not as well kept as many single-family homes, and some are showing neglect in their appearance.

Other communities, such as Portsmouth, Salem, Massachusetts, and Portland, Maine have capitalized on their history. Durham can do this too, by very carefully rezoning this area for uses compatible with historic structures and the Historic District overlay zone, and by encouraging property owners to utilize the beauty and historical associations of these fine architectural examples to attract businesses that would benefit from a stately, traditional image such as the legal or medical professions, upscale restaurants, art galleries, or shops carrying antiques, fine furnishings, or apparel.

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## **CHURCH HILL ISSUES, GOALS, AND RECOMMENDATIONS**

### **ISSUE:**

There are three issues that affect the Church Hill area: low assessments, the profitability of apartment rentals, and the difficulty of enforcing the zoning requirement prohibiting more than three unrelated occupants in one dwelling. These issues perpetuate the degradation of many of Durham's most historic houses and contribute to the disruption of the downtown and the surrounding neighborhoods. The shabby appearance of some of the buildings on Main Street certainly does not promote Durham's image as a welcoming historic university community. Maintenance of buildings and grounds are critical factors to address. It seems clear that if uses were promoted that were as profitable as apartment rentals and easier on the wear and tear of historic structures, then a strong case could be made for the economic benefits of conversion. In partnership with the landlords, an economic analysis should be performed that evaluates the economic benefits of adaptive reuse when seen in the context of high maintenance costs and the high cost of police and fire protection for student rentals. In the transition period, permitting mixed uses (e.g., office, commercial, apartments) may be the best way to begin to accomplish the goal of adaptive reuse with commercial space on the first floor and apartments above.

The appearance, specifically the period facades, of the historic buildings on Church Hill should be preserved while allowing a change in use. A mix of professional offices, restaurants, and retail stores could provide a transitional entrance to the downtown. The buildings in both segments of this area (Newmarket Road and Church Hill), including the Old Town Hall, reinforce the historic character of the area.



## **VISION:**

**Promote a Church Hill that includes multiple land uses such as professional offices, selected retail, and apartments that foster the preservation of these historic structures in their setting.**

## **GOAL:**

Maintain the historic character of Church Hill while encouraging adaptive reuse of historic buildings and new buildings in character with the surrounding historic buildings

### *OBJECTIVE #1:*

To encourage the adaptive reuse of buildings on Church Hill that are currently apartment rentals.

### *RECOMMENDATIONS:*

1. Meet with individual landlords on Church Hill to discuss their long-range plans and to share with them the community's vision for this area.
2. Clearly define the types of uses that are encouraged to locate on Church Hill and establish zoning that allows for a process of conversion that has incentives and is unambiguous and timely. Allow modifications and expansion of buildings that are compatible with their historic character and consistent with the Historic Overlay District. See "Use Recommendations" at the end of this section.
3. Encourage adaptive reuse of these historic buildings. Provide incentives via Federal tax credits for historic structures, "certified local governments" grants, revolving loan funds, community development block grant funds, loans from interest accrued on the Community Development Trust Fund, etc. Look to the redevelopment of the Newmarket Road part of this area as an excellent example of adaptive reuse of older historic buildings and the construction of new architecturally and historically sensitive buildings for commercial uses. These examples include Durham Town Hall, the Environmental Hazards Management Institute, the Three Chimneys Inn, and the Mill Pond Professional Building and the Mill Pond Center.
4. Encourage mixed uses with first-floor commercial space and apartments on upper floors.

5. Consider allowing a wider range of permitted uses in the district so long as the new use is an "Adaptive Reuse" that includes no exterior additions or significant exterior modifications.
6. Properties containing apartment rentals tend to be under-assessed in comparison with other commercial uses. Examine the assessment of rental property as a means of ensuring equity between apartments and commercial properties. Those properties should be assessed at full market value.
7. The Historic District Commission, the Town Council, and the Planning Board should coordinate workshops, zoning, and policies that encourage adaptive reuse of historic buildings as a tool for historic preservation, community development, and economic development.
8. Replace existing non-historic structures with architecturally compatible buildings or streetscape improvements.
9. Use land behind buildings for screened parking in order to encourage development of buildings. Transition into a central parking lot that is interconnected in the rear of these buildings.
10. Demonstrate to property owners the cost-effectiveness of conversions from rental housing. Involve property owners in workshops to facilitate, encourage, and inform them of options.
11. The Historic District Commission should rewrite the Historic Overlay District portion of the Zoning Ordinance and ensure that it includes clear guidelines for development and preservation.
12. Work to extend the Main Street Program to include Church Hill.

*OBJECTIVE #2:*

To protect the architectural integrity of the historic structures and their historic landscape.

*RECOMMENDATIONS:*

1. The Historic Overlay District Ordinance should identify architectural features, establish architectural standards, and include a demolition by neglect provision, thereby preventing loss of important features.
2. Apply for a grant to inventory architectural features.

3. Ensure compliance with Historic District Commission rulings through Zoning and Code Enforcement by having adequate staffing and communication.
4. Adopt a Town Property Maintenance Code in an effort to improve the appearance and maintenance of properties throughout Durham.

<b>CHURCH HILL USE RECOMMENDATIONS</b>	
<b><u>Acceptable</u></b>	<b><u>Acceptable with adaptive reuse only</u></b>
Mixed-use office/retail on the first floor and apartments above	Bank
Single, detached dwellings	Personal service
Accessory apartments	Business service
Accessory first-class home occupation	
Accessory structure	<b><u>Not acceptable</u></b>
Religious facilities/churches	Boarding house
Elderly housing	Rooming house
Professional offices	Apartments on first floor
Retail sales compatible with historic structures	Duplexes
Specialty shops	
Antique shops	
Bookstores	
Galleries	
Museums	
Bed and breakfast guest houses	
Funeral homes	
Restaurants	
Theaters	
Daycare	

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## **GASOLINE ALLEY (PROPOSED DISTRICT)**

*(Route 108/Main Street intersection to Schoolhouse Lane)*

### **BACKGROUND**

At the foot of Church Hill one shifts abruptly from the Historic District into "Gasoline Alley," a 0.2-mile stretch of road entirely in the Limited Business District. Dominated by automobile related service businesses, this district extends from the Route 108/Main Street intersection along the Dover Road to Schoolhouse Lane. It is also the location of the Durham Town Offices and the Old Durham Town Hall which houses the District Court and the Durham Historic Association Museum. The major intersection of Main Street, Newmarket Road, and Dover Road is scheduled for extensive improvements in the year 2000. The retail development in Gasoline Alley has provided townspeople with essential services in a concentrated area for many years, thus sparing Durham the perils of strip development so common in New Hampshire towns and cities.

Historically, this area was the commercial and mercantile hub of the tidewater community when waterborne goods arrived at the nearby Town landing to be sold at stores located at the crossroads with the New Hampshire turnpike. Overlooking this important junction still stands the handsome brick Old Town Hall, originally built in 1825 as a free-standing commercial block, then later adapted to serve as the seat of Town government from 1840 until recent times. Because of its historical and architectural significance, it is a part of the Historic American Building Survey and listed on the National Register of Historic Places. Today, the building is still imposing, yet isolated from other historic buildings, an island unto itself surrounded by asphalt, gasoline stations, and adjacent to a State highway carrying over 17,000 vehicles per day.

The Gasoline Alley segment of the Limited Business District is small; comprising approximately 15 acres, or 0.1 percent of Durham's land area. The major commercial activities in the area consist of two gas stations/convenience stores, three auto repair/used car sales establishments, and one full-service station providing gasoline, repairs, towing, and used car sales. Rental properties and Town administrative facilities complete the balance of the zone.

Since automobile services are essential to the community, it is valuable to have them concentrated in this single area close to Routes 108 and 4, and the Route 108 intersection with Main Street. Having these services in

other locations in the town diverts the potential for redevelopment away from Gasoline Alley and would likely promote suburban sprawl in other areas of town.

Within Gasoline Alley there are important opportunities for redevelopment that would contribute to the community as a whole. First, the improvements to the Route 108 intersection will improve safety for vehicles and pedestrians alike. The improvements will also make the streets more attractive with trees and landscaping, decorative lighting, and sidewalks. Second, there is tremendous potential for the Old Town Hall to become the cornerstone in a well-landscaped Town government complex, making a better visual transition into the adjacent Church Hill segment. Third, zoning changes will encourage redevelopment with architectural and landscaping guidelines that reflect the character and scale of New England architecture. Hopefully, these three efforts will simultaneously spur current and potential owners to take advantage of their superb location to maximize business opportunities and make this commercial gateway a better visual transition to Church Hill and downtown.

## **VISION**

Gasoline Alley will be an attractive area with a small town look including diversified commercial, retail, and governmental services, and will provide the sole location for gasoline stations within the Town. Revitalize the area to provide a smoother visual transition between Durham’s scenic river front and the Historic District.

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## **GASOLINE ALLEY ISSUES, GOALS, AND RECOMMENDATIONS**

### **ISSUE:**

Gasoline Alley is ripe for change. With interest from national retail chains, current owners are looking to the Town to see what kinds of development will be allowed with new zoning changes. Smitty's Sunoco has been for sale for months. Because of its location adjacent to the Old Town Hall and the Town Offices, its acquisition may be in the interest of the Town. This property is most valuable to the Town for its ability to connect Durham's Old Town Hall with the Town Offices. There is tremendous potential for this redeveloped Town government site to become the cornerstone of the revitalization of Gasoline Alley and a visible focus for the community. As outlined in Chapter 2 – Sense of Community and Town Facilities, a study of two or more sites for a Town government center should be conducted so that possible locations in the

Central Business District, such as 17 Madbury Road, as well as the area around the current Town Hall can be considered.

**GOAL #1:**

Develop a gathering of civic buildings that provides an identifiable, attractive Town Common that serves as the stage for social interaction both formal and intimate.

*OBJECTIVE:*

Prepare a needs assessment and program of services study, evaluate potential sites, and acquire and develop a site for a town center.

*RECOMMENDATIONS:*

1. Establish a committee to identify and develop a program of services (e.g., space needs for various uses such as library, historic museum, town hall, etc.) and to define the needs for a Town community center. As part of this work, conduct community workshop(s) to identify the desires of the community and a better vision for the community center.
2. The Committee should analyze and compare, in detail, the available sites based upon the above program. Two potential sites are 17 Madbury Road and a combination of the existing Town Hall/Courthouse site and the Route 108 Sunoco site.
3. The Town should obtain options to purchase the sites identified as potential locations prior to conducting a feasibility study. This will protect them from being sold prior to completion of this study.
4. Perform a Town center feasibility study for the Town Hall/Sunoco site, 17 Madbury Road site, and other sites based on, but not limited to, the following criteria: visibility, image and identity as a Town center, ease of access, parking availability, usefulness, connection to commercial and green space, and pedestrian access.
5. Appropriate funds and contract for the preparation of conceptual site plans showing interrelationship of old and new buildings, parking, landscaping, and linkages to the downtown, the Oyster River, and the historic district.
6. With public input, purchase, design, and construct/redevelop the selected site to meet the Town's present and ongoing needs.

## **GOAL #2:**

**Create a commercial zone that offers a variety of retail and professional services to the community, including such businesses as banks, professional offices, restaurants, and gasoline stations.**

### *OBJECTIVE:*

To encourage a divergence from the singular commercial concentration that currently exists in the area (e.g., gasoline stations and other automobile-dependent retail).

### *RECOMMENDATIONS:*

1. Offer incentives through zoning and development regulations that lead to the construction or conversion of buildings that can house multiple uses such as retail on the ground floor and professional services, offices, and even housing on the second and third floors.
2. Ensure there are adequate parking spaces in the area of Town Hall, Courthouse, and Old Landing Park.
3. Modify the Zoning Ordinance to permit uses as outlined at the end of this section to encourage diverse commercial activities in Gasoline Alley. Disallow uses that have a negative impact in terms of light, noise pollution, and trash, and that adversely affect local businesses downtown. Carry-out and drive-through restaurants should not be allowed as they will lead to the strip development the Town wishes to avoid rather than preserve the unique character of the Town. Durham doesn't have the fast-food business activity with its attendant trash and traffic. Further, the impact on CBD businesses will hurt the economic recovery of the downtown.
4. Establish stronger pedestrian network to Gasoline Alley from downtown - possibly through means other than the existing sidewalk network. This network should include connections between Cowell Drive or Park Court, Church Hill, Town Hall, Old Landing Park, the Three Chimneys Inn, and Jackson's Landing. These pedestrian links can coincide with the planned improvements to the Route 108 intersection by NHDOT, the adaptive reuse of the Three Chimneys Inn, and implementation of recommendations of the Master Plan to link the Mill Plaza and downtown to the Oyster River and Old Landing Park. The cumulative effect of these efforts will be to temper the dominance of the automobile, increase public safety, and encourage more diverse retail activity.

### **GOAL #3:**

**New development in Gasoline Alley that creates a smoother visual transition into the Historic District, thereby enhancing the appearance of this important gateway into Durham.**

#### *OBJECTIVE:*

Encourage architecture, landscaping, and signage appropriate for a gateway corridor that is compatible with the historic buildings in this area.

#### *RECOMMENDATIONS:*

1. Develop a Zoning Ordinance that works to prohibit “mass produced” or “Franchise America” architecture.
2. Establish mandatory architectural standards regarding roof line, windows, building materials, scale, and proportions to achieve the character and scale of New England architecture.
3. Establish incentives that encourage the adaptive reuse of old buildings, or construction of new buildings which are sensitive and complimentary to buildings along Church Hill and Newmarket Road.
4. Establish a sign ordinance or policy which offers sensible alternatives to large, garish signs that are so typical in commercial corridors. One element of this policy might be to create a booklet that highlights efforts in other communities which have led to effective, yet unobtrusive signage. Showing examples of these cases through photographs and drawings could help existing property owners and potential developers understand what would be acceptable and desirable.
5. Encourage the placement of deciduous trees along the roadside as a means of shading the area and creating a sense of enclosure on the street.
6. Limit State plans for widening and improvements to Route 108 to what is currently planned, and ensure future improvements are in scale and compatible with the vision for this corridor.



**GASOLINE ALLEY USE RECOMMENDATIONS**

Professional offices	Medical clinic
Banks	Business services
Day care	Recreational facility
Mixed retail/commercial and apartments use (1 <sup>st</sup> floor retail/office, 2 <sup>nd</sup> floor apartments)	Museum/gallery
Restaurants	Art center
Auto services (including convenience store)	Community center
Retail sales	Library
Hotel/motel	Car wash
Existing single-family and duplex dwellings	Bed and breakfast

**COE’S CORNER (PROPOSED DISTRICT)**

**BACKGROUND**

The Coe’s Corner section of Town, from the Route 4 interchange on the west side of Route 108 and from Stone Quarry Drive on the east side of Route 108 to Schoolhouse Lane, forms an important and very visible gateway into downtown Durham and is the area that forms the “first impression” of Durham as you enter the town on Route 108. It is also a transition zone between one of Durham’s scenic river views and the commercial center which intensifies at Gasoline Alley. The transition from open space and intermittent low density development at the Madbury end of the corridor to higher density development in Coe’s Corner is subtle; individual lots are smaller and some buildings and houses are closer to the street. This transition is unobtrusive because the land uses are similar and the landscaping is consistent throughout. The next transition, to automotive and retail sales, is more abrupt.

Coe’s Corner is presently a mix of small and larger buildings and houses, with some water features visible from the road. The area includes “The Pines Guesthouse,” an historically significant property. This is the former Coe property, for which the area is named. The area also includes several rental housing units, particularly the nine duplexes on Young Drive. There are numerous single-family, owner-occupied homes along the Oyster River and Old Landing Road. Abutting Coe’s Corner is the Bayview neighborhood which consists of about sixteen single-family, predominantly owner-occupied homes.

The connection of Coe’s Corner to Gasoline Alley would be improved by the addition of sidewalks with granite curbs, to encourage and facilitate pedestrian traffic. The planting of more trees and shrubs and improved landscaping would help to visually connect this area to the rest of the

downtown. Any plans for widening Route 108 at the intersection with Main Street would impact this area and should be monitored for consistency with the goals of this area.

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## **COE'S CORNER ISSUES, GOALS, AND RECOMMENDATIONS**

### **ISSUE:**

Many citizens of Durham have expressed the wish that this gateway be protected from uncontrolled commercial strip development in order to project a small-town image. The present allowed lot size of 10,000 square feet in the Limited Business District (LBD) zone may lead to multiple curb cuts, increased traffic and congestion, small franchises, more paving, and sprawl. Current LBD zoning could promote strip development, which is not a desirable long-term land use pattern, and is in conflict with the wishes of the community. The pocket neighborhoods in this area need to be better protected from unregulated and disruptive rental housing.

### **VISION:**

Coe's Corner should serve as a gateway to the more intensive commercial uses of Gasoline Alley and the downtown, and be a transition zone with controlled commercial development that preserves the scale and scenery of the area and highlights its natural features.

### **GOAL #1:**

**Allow limited commercial land uses, which are sensitive to and complementary of the existing scale of buildings and the natural environment in this section of the corridor.**

#### *OBJECTIVE #1:*

Create a new zoning district for this area that allows for those commercial activities that complement the existing scenic and low density character of the corridor and eliminates the opportunity for most retail sales activities.

#### *RECOMMENDATIONS:*

1. Change the zoning to limit uses to those appropriate to the goal as indicated in the Shaded box entitled: "Coe's Corner Use Recommendations" at the end of this section. Consider flexibility for other commercial uses by utilizing the "Planned Commercial District"

as described in the "Commercial Land Availability" section of the chapter (Chapter 9).

2. Establish a minimum lot size of 30,000 square feet, a maximum lot coverage to achieve a residential look, setbacks of 30 feet, and architectural standards that reflect desired conditions along this portion of Route 108. The existing median lot size in this area is now approximately 3/4 of an acre (32,500 square feet).
3. Require new businesses to better reuse existing homes, or to adhere to architecture, building size, and lot coverage requirements when new construction is proposed.
4. Require parking to be placed at the rear or sides of buildings with vegetative buffering as to encourage the retention of front lawns whenever possible.

**OBJECTIVE #2:**

Enhance the natural beauty of this important gateway into Durham with trees, shrubs, and other natural materials.

**RECOMMENDATIONS:**

1. Work with NHDOT to ensure that further modifications to Route 108 are in keeping with the vision and goals of the Master Plan.
2. Develop a "buy-a-tree program" whereby citizens can purchase a tree and have it planted somewhere in this area. Working with the DOT and property owners will be important in this effort.
3. Encourage the creation of pocket areas where pedestrians can get off the sidewalk and enjoy the views of the Oyster River and Beard's Creek.
4. Create a pedestrian connection from Gasoline Alley through Coe's Corner to Jackson's Landing via sidewalks and bike paths.

**GOAL #2:**

**Encourage the conversion of rental housing to professional offices and other permitted uses.**

**OBJECTIVE:**

To make valuable use of this corridor while making pocket neighborhoods in this area safe and more attractive.

**COE’S CORNER USE RECOMMENDATIONS**

**Acceptable**

Existing single-family and duplex dwellings  
Bed and breakfast  
Accessory apartment  
First-class home occupation  
Professional offices  
Elderly housing, limited number of units per site

**Conditional**

Daycare  
Elderly housing, above a number of units  
Funeral home  
Business services with performance criteria  
Personal services in existing buildings with performance criteria  
Hotel including conference and/or associated restaurant with mandatory architectural standards and performance criteria  
Museums with performance criteria and architectural standards  
Art galleries with performance criteria and architectural standards

**Not acceptable**

Banks  
Restaurants  
Restaurants, carry out  
Boarding house  
Rooming house  
PUD  
Retail and personal sales  
  
Hospitals  
Auto service/gas stations  
New single-family & duplex dwellings

***RECOMMENDATIONS:***

1. To preserve the residential pocket neighborhoods, rezone the properties along the Oyster River (setback from Route 108), along Old Landing Road and the three lots on the southeast side of Beard’s Creek near Jackson’s Landing to Residence A.
2. Promote use conversions of all the buildings on Young Drive to professional office or elderly housing.
3. Examine the assessment of rental property as a means of ensuring equity between apartments and commercial properties.
4. Enforce present unrelated occupancy limit requirements, and create new ordinances, if necessary to achieve this goal.
5. Require on-site management for apartments above a certain number.
6. Demonstrate to property owners the cost effectiveness of conversion from rental housing.

7. Encourage and support neighborhood homeowner organizations.

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## **ROUTE 108 (PROPOSED DISTRICT)**

*(From the intersection of Route 4 to the Madbury town line)*

### **BACKGROUND**

The entrance to Durham from the Madbury-Durham town line to Route 4 has always had a rural quality of openness. That feeling of openness, with buildings set back from the road and landscaping that enhances the feeling that buildings are part of the countryside rather than the dominant feature, should be preserved. Development of professional offices, elderly housing, and some agricultural enterprises in this area will have a more positive impact on our tax base than single/duplex housing developments. This whole corridor should be tied to maintaining the rural landscape while allowing properly scaled and architecturally sensitive development.

### **VISION**

The rural appearance of Route 108 from Route 4 to the Madbury town line should be maintained, while permitting professional office and limited commercial development.

### **GOAL #1:**

**Maintain the rural, open feeling that currently exists along Route 108 from the Madbury town line to the Route 4 interchange.**

#### *OBJECTIVE #1:*

Eliminate the opportunity for most retail sales activity to occur along this portion of Route 108.

#### *RECOMMENDATION:*

Disallow any retail uses in this area with the exception of farms or nurseries with some products raised on the premises as they do at Emery Farm or at Tuttle's in Dover.

#### *OBJECTIVE #2:*

Promote land uses that are less land intensive, rely on larger lots, and require fewer curb cuts.

*RECOMMENDATIONS:*

1. Create a new zone for the corridor that limits the possibility for any intense development. The new zone will incorporate the east side of Route 108 and the west side to a depth to be determined.
2. Minimize the number of curb cuts onto Route 108.
3. As a means of preserving the feeling of open space, establish a 100-foot setback requirement on Route 108 for the first 25 feet of building height, increasing the setback two feet for every foot of additional building height. The maximum building height should be 50 feet.
4. Setbacks should apply to parking areas, which should be required to be at the sides or rear of buildings. Parking requirements should be reasonable for the type of use.
5. Increase minimum lot size to two acres with a requirement for 200 feet of frontage on Route 108 and requiring less frontage on collector roads. Developing maximum lot size standards are consistent with this goal. Encourage the clustering of commercial buildings off collector roads, and adjust lot coverage to preserve the feeling of open space. Maintain the requirement for 1,200 foot entrance separation on Route 108.
6. Incorporate mandatory architectural and landscaping standards for commercial uses in this area. These standards should be sensitive to the architecture and feeling of open space in the area.
7. Provide appropriate buffers for residences (e.g., transitional yard buffers).
8. Rezone this area along Route 108 based on existing lot lines. Locate the eastern boundary of the Zoning District no further east than the western edge of the property that is immediately west of Johnson Creek.

*OBJECTIVE #3:*

Limit the possibility of intense residential development along Route 108 in this area.

**ROUTE 4 TO MADBURY TOWN LINE USE RECOMMENDATIONS**

**Acceptable**

Professional Office (could include some assembly of small electrical components such as for computers)  
Elderly housing  
Crop farms and plant nursery  
Retail sales of farm products with some raised on premises  
Religious facilities  
Golf courses with Audubon Signature Program or equivalent  
Research facilities  
Medical clinics  
Nursing homes/assisted living facilities  
Bed and breakfast/inn  
Daycare facility  
Existing single-family and duplex residences  
Farms with or without residences and livestock, excluding hog farms  
Veterinary clinics/kennels

**Conditional**

Recreational facilities

**Not acceptable**

Duplex family dwellings and apartments  
Restaurants  
Restaurants, carry-out  
Banks  
PUD  
Retail and personal sales  
Hospitals  
Auto service  
Business services  
Light industry  
New Residential  
Educational facilities  
Earth removal

***RECOMMENDATIONS:***

1. Do not allow residential development, except that existing residences may continue and expand by right, with the dimensional controls specified under the zoning ordinance.
2. Minimize the number of curb cuts onto Route 108.
3. Incorporate architectural and landscaping standards into the zone. These standards should be sensitive to the architecture and feeling of open space in the area.