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**Town Planner's Project Review**  
Wednesday, June 8, 2016

- IX. **Public Hearing - Mill Plaza Redevelopment – 7 Mill Road.** Design Review (preliminary application). Review of updated design for site plan and conditional use for the redevelopment of this 10-acre site. The proposed project involves demolition of rear commercial building; construction of new 2-story commercial building, bank, and 2-story addition to the existing Hannaford Building; construction of building(s) at the rear of the site with 4 stories of residential over 1 story of garage parking; and parking, circulation, and other site changes. Colonial Durham Associates, LP, property owner; Sean McCauley, agent; Joe Persechino, Tighe & Bond, engineer; Steve Cecil and Emily Innes, The Cecil Group, planner; Lisa DeStefano and Adam Wagner, DeStefano Architects, architect. Central Business District. Map 5, Lot 1-1.
- I recommend that the board hold the public hearing and discuss the project. The project should remain in the design review phase and be continued as necessary to an appropriate date.

**Process**

- 1) **Updated plans.** An updated plan was submitted on May 25 and is posted on the website. The plan is significantly different from the prior plans and thus merits a fresh review. Three Four earlier plans were submitted: 1) a black and white plan dated January 20, 2016 by Tighe & Bond; 2) a colored plan dated November 16, 2015 by DeStefano Architects, that was attached for illustrative purposes only to the Settlement Agreement; 3) a colored plan dated January 14, 2015 by DeStefano Architects; and 4) a black and white plan dated September 12, 2014 by Tighe & Bond.
- 2) **Technical Review Group.** The updated plan was presented to the TRG on May 31. I will send notes of the meeting to the Planning Board shortly.
- 3) **Public Hearing.** The review on June 8 is a public hearing and is continued from the prior hearing. Given that the plans may well change again, it would be prudent to keep the public hearing open at this point.
- 4) **Site walk.** A site walk should be scheduled at the appropriate time.
- 5) **Design Review.** The application is still in the preliminary design review process. The goal for this process is to develop a preliminary plan that seems to be acceptable to the

Planning Board. The applicant would then engineer the project and return with a formal application. Again, it is not essential that all aspects and details of the preliminary plan be presented during this phase but all significant elements of the project which are reliant on the basic plan should be discussed. Either the Planning Board or the applicant may close the design review process at any time. It would be prudent to keep the hearing open until the board receives a plan that appears acceptable.

- 6) Outside studies. At the appropriate time specific studies may be desired in this preliminary phase, such as a traffic study and parking study.

### **Overview of Plan**

- 7) Revised plan. The revised plan is simpler in form than the earlier plans. The front portion of the site (adjacent to Mill Road) would be changed much less than what was shown in earlier plans and would remain 100% commercial; all of the multi-unit housing would be situated in the rear third of the site (away from Mill Road). Significant changes from existing conditions include the following:
  - a) The rear commercial building is demolished and a new one built perpendicular to the building in which Hannaford and Rite Aid is locatedHannaford Building. A second story, most likely for office use, is added
  - b) A two-story addition is built on the Mill Road side of the building containing Hannaford and Rite Aid.
  - c) A bank with a drive through is added as an outbuilding.
  - d) The front parking area is somewhat reconfigured with new trees placed at the end of the parking aisles.
  - e) A path is constructed along the brook and connections are made to new sidewalks to be built in front of the rear buildings.
  - f) A new building(s) is erected at the rear of the site with garage parking on the first floor and four floors of multi-unit residential above.

### **General Comments**

- 8) Redevelopment. From a planning standpoint, it would be desirable to completely redevelop the site in order to start fresh and provide an optimal design. The plan shows the building presently containing Hannaford and Rite Aid remaining in its present location. The applicant has indicated that Hannaford has a long-term lease and has not indicated yet whether or not the supermarket company is interested in relocating on the site. The applicant indicates it cannot build over the building containing Hannaford.
- 9) Two-story addition. I recommend giving consideration to retaining the existing park located where the two-story addition is shown. The park is well established with mature vegetation and a tree canopy. It is desirable to connect Mill Plaza with Main Street and providing continuous open space from Bicentennial Park to the north through this park will facilitate this. Placing an addition here will almost certainly hinder the

connection. Also, this addition (at two stories with minimal setback) may crowd the sidewalk especially since there are two lanes of traffic just beyond the sidewalk and no other buildings on Mill Street to either side.. Building frontages along the street are desirable but generally such buildings should feel as though they are placed parallel to, alongside the street, rather than perpendicular. A frontage to the south along Mill Road would be desirable but the applicant does not want to close off the view into the plaza.

- 10) Bagel Works Space. I understand that Bagel Works may be leaving their space at the westerly end of the building containing Hannaford and Rite Aid, and that this space may be utilized by Hannaford in which to expand. If so, this section of the building could potentially be rebuilt with a second floor (setback further from Mill Road than the proposed addition) and an entrance could potentially be added from the adjacent park. If Hannaford were to occupy the space perhaps public focused uses such as a bakery or café could potentially be incorporated there more efficiently activating the green space at the corner for public use and enjoyment while simultaneously increasing public exposure/activity for the commercial uses within the building to the benefit of all parties.
- 11) Park along Mill Road. The illustrative plan submitted with the Settlement Agreement shows a formal park along Mill Road, in front of the parking lot. This should be retained. It will form a pleasant connection with the parks to the north, offer attractive open space, and soften the view toward the extensive asphalt of the parking lot.
- 12) Greenspace. It would be beneficial to add greenspace on the interior of the parking area to break up the asphalt. The Site Plan Regulations call for parking lots to be broken up with greenspace. The illustrative drawing in the Settlement Agreement shows outdoor seating space and a plaza in front of the building containing Hannaford and Rite Aid.
- 13) Residential Neighborhood. A key goal is minimizing and mitigating any potential adverse impacts from the multi-unit housing upon the adjacent residential neighborhoods, including houses located to the east and south of the development. This is an important consideration for the conditional use review. The illustrative drawing in the Settlement Agreement shows a residential building at this corner but there is no access to the south of that building, resulting in more separation from the neighborhood than the current plan.
- 14) Senior Housing. It would be beneficial to try to find an appropriate location to include senior housing as part of the project. If this could be included at the southerly corner of the site near Chesley Drive it would help to buffer the immediately adjacent neighborhoods.

#### **Additional Information Needed**

- 15) Existing businesses. It would be helpful to show the locations of existing businesses in the two existing buildings, including the names of the businesses and square footage used.
- 16) Area plan. It would be helpful to show a scaled plan with neighboring lots including building footprints and property owners' names. This should include at least Brookside

Commons, Faculty Road, Chesley Drive, and the Town's pedestrian and bicycle routes to the Faculty Road/Thompson Lane intersection.

- 17) Drawing. What is the bold rectangle on the plans at the upper right?
- 18) Brook buffer. The Settlement Agreement calls for an increased natural buffer along College Brook. The edge of existing pavement and 75 foot wetland buffer should be shown on the plans.
- 19) Existing conditions. The existing conditions drawing is from 2008. Is there additional information that should be included on this drawing? Has any pertinent aspect of this drawing changed? An up to date existing conditions drawing will be required with a formal application so it is probably worthwhile for the applicant to prepare one now to facilitate the design review process.

### **Zoning Ordinance**

- 20) Multi-unit residences. The Zoning Ordinance allows multi-unit dwellings in the Central Business District only as a *Mixed Use with residential (office/retail down, multiunit residential up)*. The proposed first floor parking does not conform with this use.
- 21) Building height. The maximum height in the Central Business District is 30 feet with an allowance for up to 50 feet at the discretion of the Planning Board. The five-story building would likely be about 50 feet tall.
- 22) Number of stories. The Central Business District provides that mixed use buildings (with nonresidential on the first floor) are a maximum of 3 stories and that buildings with two floors of nonresidential are a maximum of 4 stories. The proposed building contains 5 stories with 4 floors of residential. The proposed number of stories and uses do not conform with this requirement.
- 23) Conditional use for nonresidential. The requirement for nonresidential use on the first floor would have to be addressed as part of the conditional use process as provided for in the Central Business District section.
- 24) Drive through facility. A drive through facility for the bank is allowed by conditional use.
- 25) Setbacks. There are no minimum or maximum setbacks in this part of the Central Business District.
- 26) Impervious surface. 100% impervious surface is allowed in the Central Business District.
- 27) Habitable area. Based on the Settlement Agreement, the new zoning amendment setting a minimum of 600 square feet of habitable area per resident will not apply. The old standard of 300 square feet will apply.

- 28) College Brook. The Shoreland Protection Overlay District extends 75 feet from College Brook. Structures must be set back 25 feet from the brook.

**Conditional Uses.**

- 29) All of the following eight criteria (key points excerpted here) must be addressed for the approval of a conditional use.
1. Site suitability: The site is suitable for the proposed use...
  2. External impacts: The external impacts of the proposed use on abutting properties and the neighborhood...
  3. Character of the site development: The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts of the use on the neighborhood...
  4. Character of the buildings and structures: The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood...
  5. Preservation of natural, cultural, historic, and scenic resources: The proposed use of the site, including all related development activities, shall preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties...
  6. Impact on property values: The proposed use will not cause or contribute to a significant decline in property values of adjacent properties.
  7. Availability of Public Services & Facilities:...
  8. Fiscal impacts: The proposed use will not have a negative fiscal impact on the Town unless the Planning Board determines that there are other positive community impacts that off-set the negative fiscal aspects of the proposed use...

**Parking**

- 30) Parking analysis. Parking is a key part of this project. It would be useful to have a detailed parking analysis prepared and submitted by the applicant as part of the preliminary review showing the exact amount of building space by type of use and how the various parking spaces would be allocated. The analysis should address the specific requirements in the Zoning Ordinance and Site Plan Regulations.
- 31) Residential parking. Is it appropriate and desirable for there to be parking provided for the residents? The board should consider whether the parking area would be better used for parking for the businesses or for other uses. A number of other student housing developments have been built in the downtown in recent years with little or no parking for the tenants.

- 32) Assigned spaces. How many spaces are leased to students presently and what are the general terms of those leases? The Planning Board and members of the public have asked this question several times but the board has yet to receive an answer from the applicant. Also needed is the specific number of parking spaces assigned to individual business tenants.
- 33) Site constraints. It will be important to determine the actual number of spaces that are needed and for which uses and in which locations so that we know how much greenspace, pedestrian pathways, bicycle routes and bike infrastructure, and additional structures might be added in and around the parking areas.
- 34) Parking exemption. The Zoning Ordinance exempts development in the Central Business District from meeting the minimum number of parking spaces provided: 1. A parking impact fee (\$750 per space) is paid by the developer for the number of spaces required less the number provided; and 2. The existing number of required parking spaces cannot be reduced in the proposed project unless approved by the Planning Board. Refer as well to Section 1.e. of the Settlement Agreement envisioning a minimum of 345 parking spaces with the actual number of spaces to be approved by the Planning Board based upon the zoning ordinance and site plan regulations.

### **Traffic and Circulation Issues**

- 35) Traffic model. Staff met recently to discuss the use of the traffic model for this project and the need to update the model. I will send a separate note about this to the Planning Board and the applicant.
- 36) Traffic study. The board will need to determine if a traffic study is needed in addition to a run of the traffic model. Once there is an acceptable plan it might be helpful to do some analysis at the design review stage.
- 37) Transit. Steve Pesci, UNH Transportation Planner, said that UNH has no plans that would suggest an immediate need, but he suggested considering inclusion of a transit pullout/shelter on Mill Road just north of the current plaza entrance. He said this could be useful for future transit route flexibility.
- 38) Truck access. Will this plan accommodate access and circulation for fire trucks and garbage trucks? What route would they follow?

### **Pedestrian and Bicycle Circulation**

- 39) Pedestrian and Bicycle circulation. How effective is the layout of proposed paths/trails? The applicant should outline whether bicycle lanes meet nationally accepted best practices.
- 40) Infrastructure. Various elements of bicycle infrastructure should be included on later plans.

### **Landscaping**

- 41) Landscaping. The site needs more landscaping, along pedestrian and bicycle paths and within the parking area at the front of the site. Perpendicular planting islands (along

with those now shown at the end of the parking aisles) could be added as well as landscaping strip parallel to Mill Road (per the site plan regulations).

- 42) 5% landscaping. The zoning ordinance requires that at least 5% of parking and driveway areas be landscaped.
- 43) Other requirements. There are numerous requirements related to landscaping in both the Zoning Ordinance and Site Plan Regulations. In the design review phase the applicant should ensure that sufficient areas are designated for landscaping, or that reasonable adjustments can be made at the formal phase.
- 44) Foundation plantings. It is always desirable to have a planting strip around the base of buildings where they meet parking lots and driveways. The Site Plan Regulations require a 4 foot wide strip. Several strips have been added at the rear of the site. They should be added in front, as well, as practical.

### **Other Issues**

- 45) Stormwater Management. How will this be handled? The applicant said there will be some underground storage. Space should be indicated where any above ground structures will be needed.
- 46) Snow storage. Where will the snow be stored? It should not be along the College Brook buffer. This should be shown as part of the preliminary plan.
- 47) Dumpster. Where will dumpsters be located?
- 48) Loading. Where will trucks load and unload for each building? There is an existing loading dock behind Hannaford. Mill Plaza said that other buildings would be served by box trucks. The locations should be shown.
- 49) Permeable pavement. This should be explored. Joe Persechino noted that they have not yet done a geotechnical analysis, but his preliminary sense was that the soils would not work well for infiltration.
- 50) Electric vehicles. As recommended by the chair of the Energy Committee, it would be great to add a location for the charging of electric vehicles, if possible.
- 51) Water and Sewer. As part of the design review process it should be clarified what kinds of water and sewer upgrades may be needed.

### **Settlement Agreement**

- 52) The Town and the applicant signed an agreement on December 14, 2015. The terms relating to the design of the project are as follows:

“a. The Revised Application will propose construction of not more than 330 residential beds for the entirety of the Mill Plaza site, with a density of not less than 300 SF per occupant.”

“b. To the extent reasonably practicable, and subject to planning review, the Revised Application shall locate the residential beds upon the Mill Plaza Site with the goal of placing as many beds as possible in the buildings proposed to be located in the northern half of the property.”

“c. The Revised Application will provide for a total development of existing and new non-residential commercial space, exclusive of parking, totaling at least 80,000 to 90,000 sq.ft.”

“d. The Revised Application will provide for proposed buildings and vehicular roads outside of the shoreland and wetlands buffers such that variances from town ordinances are not required and the buffers are maintained by the property owner.”

“e. Proposed on-site parking shall be increased from the existing 345 spaces to a number acceptable to the planning board based on the zoning ordinance and site plan regulations.”

“f. The Revised Application will have increased natural buffer along the southern property line adjacent to the College Brook; such buffer to be maintained by the property owner in perpetuity.”

“g. The proposed center building shall provide for a ground level connector to encourage pedestrian and bicycle connectivity through the site towards Main Street.”

“h. The proposed development will have dedicated on-site professionally staffed management office and security 24 hours a day, 7 days a week, 365 days a year.”

Once there is a plan that the Planning Board supports we can clarify with the Town Attorney whether any apparent deviations from the Agreement require review and approval by the Town Council.