

Re: Downtown Zoning Amendments

August 26, 2020

Dear Members of the Durham Planning Board,

First and foremost, don't be surprised if there is very little public participation regarding these important downtown zoning amendments beyond those who were involved in crafting them or those who will personally benefit, despite that fact that some of these amendments entail HUGE changes for our town. Why do I predict so little participation? We are in the midst of a pandemic. Families are overwhelmed with the realities of daily life: How will they keep their family members safe? How will their children receive an education this year? For those choosing to tryout the hybrid in-school model, what will happen when an entire class or those on the school bus are required to quarantine due to a student exhibiting COVID symptoms? How will parents continue to work with school-age children at home or the daily uncertainty of when their children might be sent home to quarantine? Reading through somewhat complicated amendments, trying to understand them and consider their long range impacts is asking too much of the public right now. The timing of these amendments feels a bit unfair.

While it is understandable that the PB chooses not to delay those wanting to bring forward new projects, I cannot understand the rationale of the Town bringing forward these important amendments at the most inopportune time. It feels inconsiderate and most unfortunate. I hope the PB and Town Council will take a step back and choose to postpone review of these critical amendments until such a time as when the public can actually fully participate.

Regarding the amendments themselves, some aspects are hard to figure out. The wording is confusing. Under item 7d, for instance, I still cannot figure out how much retail/office space is required for buildings that are 4 stories. It appears that we are now ignoring what has long been a town policy that given that retail/office space is so limited in our small downtown, we grant developers an additional bonus story only if they commit to adding an extra floor of commercial space (e.g. 2 floors commercial/2 floors residential). Have we completely thrown this out now and are we willing to fill our downtown with what appears to be more and more residential/student housing simply to redevelop? It appears that a 4-story building now would only require one story-worth of commercial space and permit 3 stories of residential and a 5-story building would require less than 2 full floors of commercial (because the 5th floor is by definition smaller than the ground floor footprint). Add in a 50% credit for seasonal outdoor space (how much is required unclear) and it appears that we may allow a 5-story building with barely more than on full floor of commercial space. This seems wrong unless it is our goal to pack more and more students into our downtown. When we talk of revitalizing the downtown, I do not think this is what the community had in mind.

The changes in height allowances, numbers of stories (by conditional use) and ratio of commercial to residential space create the perfect formula for allowing the University to consume our entire downtown. It creates the formula for an overbuilt downtown (University-scale, not human scale),

packed with more and more students and student-oriented businesses in the little remaining commercial area we have downtown. (Keep in mind that not long ago the town decided to try to save our downtown from becoming overrun with students by approving The Cottages and The Lodges. Now we seem prepared to overbuild student housing downtown for the sake of redevelopment alone.) Clearly, these proposed changes will create a more vibrant, albeit student-oriented downtown, more student housing and more businesses that cater to students and little reason for residents to want to go downtown. Sadly I cannot see that the proposed changes offer anything for the townspeople but a reason to avoid the downtown.

I also do not think that in a college town we should encourage more drive-thrus which will create long lines and idling of cars.

Finally, how do these proposed changes align with the Master Plan which grew out of the participation of over a hundred citizens over multiple years? Please note that the Master Plan unambiguously states that Durham's downtown will consist of 3-story buildings, with a 4th floor permitted only under certain circumstances. There is no mention of 5 stories. There is talk about maintaining "small town character" and creating a vibrant downtown that *residents* will want to frequent. Are we now going to ignore the clearly stated vision of the community put forth through the Master Plan visioning process?

Respectfully submitted,

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