



TOWN OF DURHAM
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Town Planner's Recommendation
Hayden Family Realty Trust
Wednesday, June 26, 2013

Design Review for a Site Plan Application – 44 & 46 Main Street. Complete redevelopment of a commercial site with a three-story mixed-use building. **Hayden Family Realty Trust** and R&S Hayden Development, LLC (applicant); Michael Sievert, MJS Engineering (engineer). Tax Map 4, Lots 4-0 and 5-0. Central Business Zoning District.

➤ I recommend the board discuss the project and close the design review.

Please note the following:

- The applicant has presented a preliminary application to the Planning Board before. They are not ready to move forward right now, so the design review should be closed. When the applicant is ready to move forward they can submit another design review application or formal application in the future.
- By virtue of this design review application (notice posted prior to the notice for the two zoning amendments), this project is protected against the two proposed zoning amendments. To maintain this protection a formal application would need to be submitted within 12 months of closing this design review.
- This is an attractive project. The applicant's proposal is consistent with the goals of the zoning ordinance: a three story building built close to the street with first floor commercial. The applicant would consider commercial uses and even nonstudent housing on the upper floors if that is viable.
- We have discussed with the applicant maintaining/creating a pedestrian passageway from Main Street to the rear parking lot. It remains to be seen where this could best be located: on the easterly side adjacent to Durham House of Pizza, on the westerly side adjacent to Young's Restaurant, or through a passageway in the middle of the new building. The latter could conceivably be an open air passage between two separate buildings, a partial open air passage in the middle of one building, a passage under a glass skylight/atrium, or a passage through a corridor in the building.
- I would be wary of building an interior passageway - sometimes called a "galleria," "arcade," or "interior mall." -if the intent is to have shops take access from it. I have observed that such arcades are not successful, except where very special conditions are present.
- I do believe that maintaining a pedestrian passageway, preferably outside, is highly desirable. This is tricky since some of the adjacent existing passageways are partly owned by the abutters. The Town cannot mandate a public passageway (unless we purchase the property); creating/maintaining one or both would rely upon the good will of the applicant.
- Another possibility is for the applicant, and possibly one or both of the abutters, to convey the passageway(s) to the Town, who would maintain it.
- Once the design review closes, the Town and the applicant can continue to explore possibilities.