



TOWN OF DURHAM
15 NEWMARKET RD
DURHAM, NH 03824-2898
603/868-8064 603/868-8065
FAX 603/868-8033
www.ci.durham.nh.us

Town Planner's Recommendation
Wednesday, March 12, 2014

XI. **7 Mill Road Plaza – Wildcat Fitness.** Request to add wall signs for businesses/activities housed in the Wildcat Fitness space in Mill Plaza, including Durham Chiropractic, Hydro Massage, and Smoothie Bar. The signs are to be reviewed as a new sign master plan. Submitted by Ken Entz. Tax Map 5, Lot 1-1. Central Business Zoning District. *Recommended action:* Approval with any appropriate limitations or conditions.

➤ I recommend approval with any appropriate limitations or conditions, as shown below.

Please note the following:

- See the enclosed write up from Ken Entz, proprietor of Wildcat Fitness.
- Mr. Entz presented his situation to Tom Johnson, Zoning Administrator/Code Enforcement Officer and me recently. Adding these signs seemed reasonable under his special circumstance. Tom and I thought the most appropriate route for an approval was to present a sign master plan to the Planning Board (rather than him submitting it to Tom or applying for a variance).
- Some type of relief is necessary because the Sign Ordinance (Section 175-133 A. of the Zoning Ordinance) allows a maximum of 48 square feet of signage for each business establishment.
- The Sign Ordinance states: “L. Multi-Tenant Developments. New Multi-Tenant developments shall submit a Signage Master Plan to the Planning Board for approval. Existing multi-tenant developments shall submit a signage master plan to the Code Enforcement Officer for approval.”
- Whether this is treated as a *new multi-tenant development* with the several entities of Wildcat Fitness being the “multi tenants,” or as an *existing multi-tenant development*, i.e., all of Mill Plaza but with consideration only of a section of the overall development, again, it seems to Tom and I that review by the Planning Board is the best course.
- The property owner has okayed this application, per an email I sent to the board from the property manager.
- The key issue for the board to discuss is the exact nature of these three new operations, whether they are separate businesses, sub-businesses, special activities, etc., and if there is a concern with a precedent for other businesses at Mill Plaza to request similar treatment, resulting in excessive signage.
- There seem to be unusual circumstances for this application that merit approval as a sign master plan.
- The board could require one or more signs be smaller, or it might ask that the background color of The Smoothie Bar sign be more muted.

(over)

Draft
NOTICE OF DECISION

Project Name: Wildcat Fitness Master Sign Plan
Project Description: Addition of wall signs for Durham Chiropractice, Hydro Massage, and the Smoothie Bar
Address: 7 Mill Plaza, Unit 1
Applicant: Ken Entz, Wildcat Fitness
Property Owner: Mill Plaza
Map and Lot: Map 5, Lot 1-1
Zoning: Central Business District
Date of approval: **March 12, 2014**

The application submitted on March 5, 2014 is approved as submitted, with the following conditions/clarifications:

- 1) This sign master plan applies only to Wildcat Fitness and these specific businesses/activities operating within the Wildcat Fitness space.
- 2) The specific sign designs included in the application may be changed subject to approval by the Building Official with a determination that any new design is consistent with the intent of the sign master plan.

...any other conditions