

TOWN OF DURHAM
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Town Planner's Review
DURHAM PLANNING BOARD
Wednesday, March 8, 2017

- X. **Zoning Amendments – Elderly and Multi-Unit.** Consideration of Town Council-initiated zoning amendments. *Recommended action:* Make recommendations on amendments or revise if appropriate and set a new public hearing.
- A. **Public Hearing - Mixed Use with Elderly Housing.** Add a new definition for Mixed Use with Elderly Housing (office/retail down, elderly housing up), allow as a conditional use in Central Business District, and add references to this use in Section 175-41 Central Business District and Section 175-53 B. General Use Regulations.
- B. **Public Hearing - Mixed Use with Residential.** Change Mixed Use with Residential (office/retail down, multiunit residential up) from conditional use to not permitted in the Central Business District.
- I recommend that the board make its recommendations on the two items on March 8 or on March 22.

Please note the following:

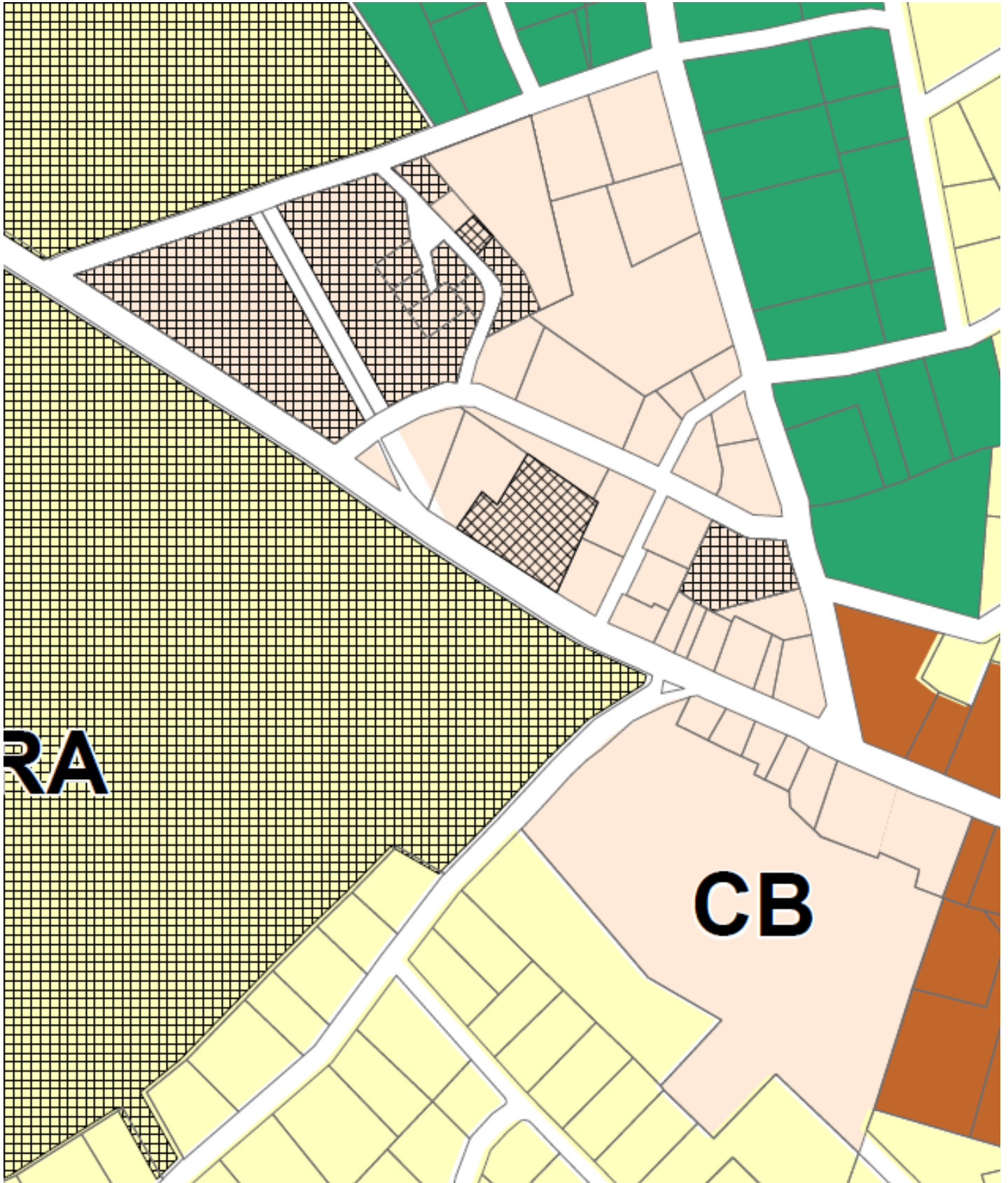
- 1) There has been much discussion and public input on this item. The Town Council granted another extension to March 22 for the board to make its recommendation (I believe that is the correct deadline but will confirm).
- 2) This issue has been discussed more at the Town Council. Jim Lawson may have some additional information to provide to the board.
- 3) Additional information is included in the Planning Board packet provided by Attorney Pasay: a letter and an excerpt from the Durham Police Department's 2017 annual report.
- 4) If the Planning Board wishes to make any changes to the proposed amendments or to put together a different amendment, we would need to schedule a public hearing on the change on March 22.
- 5) The first proposal regarding elderly housing seems fairly straightforward. I have not seen any concerns or objection to this proposal. I would recommend the board submit its recommendation on this item together with its recommendation on the second item (rather

than submitting a recommendation on A. now and on B. later, should the board need more time for B.)

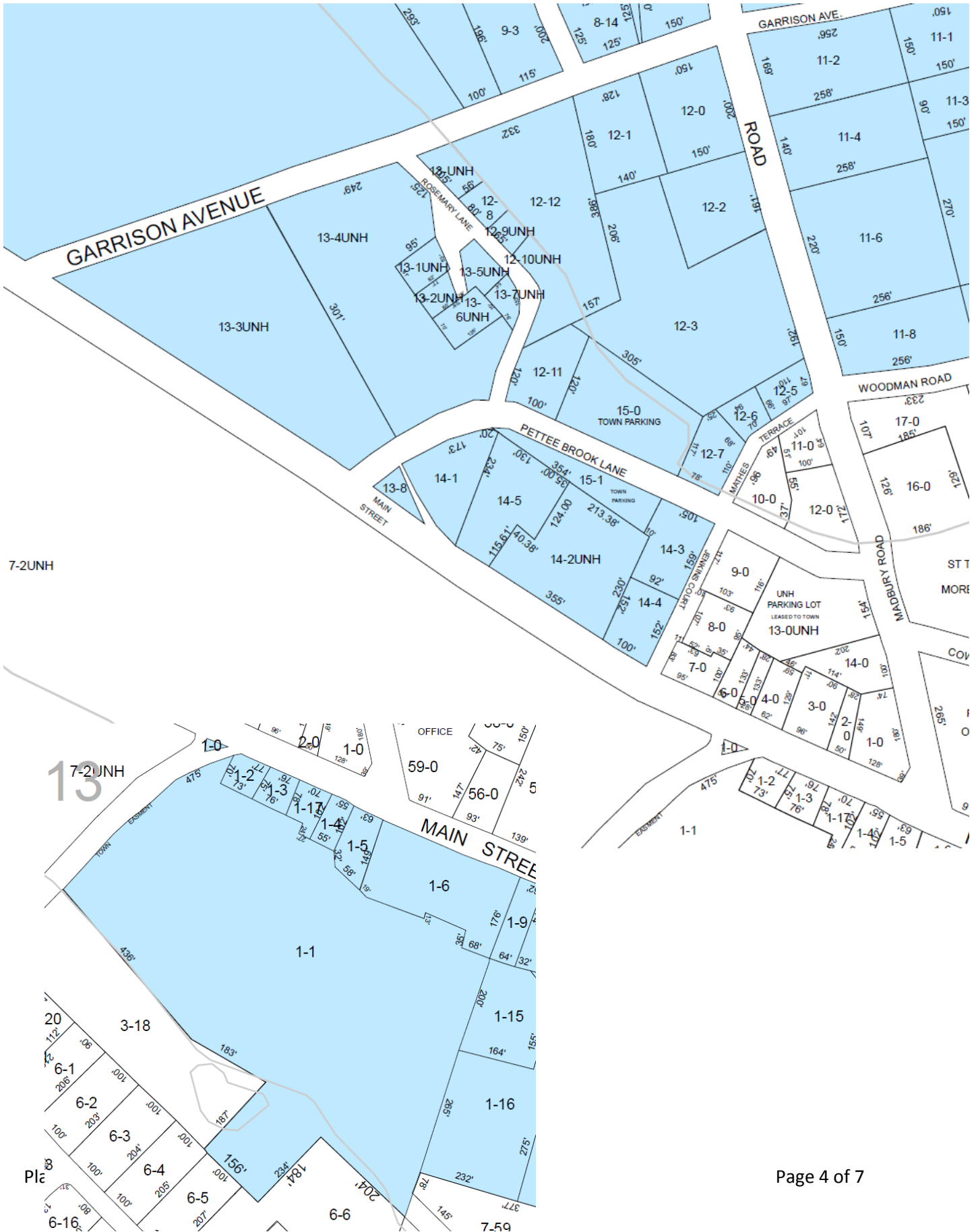
- 6) See the items below. I include a zoning map showing the Central Business District in pink on the next page. On the following page is the tax map showing the lots in the Central Business District. I do not have a way to show only the lots so I included excerpts from the pertinent tax maps. Some areas are in blue and some are in white. On the pages after that I include a table identifying the address, owner, land use, build-out situation, and acreage. I used my judgment in determining whether the property is built out or not, based on whether it is appropriate and desirable for significant further development or redevelopment of the lot. Of course, others might have a different view. On the last page, I include a map prepared by Jim Lawson that was sent earlier as part of his writeup.
- 7) Of course, the board has several options for item B:
 - a) Recommend adoption as now written;
 - b) Modify the proposed amendment;
 - c) Propose a different amendment;
 - d) Recommend the amendment be rejected by the Town Council;
 - e) Continue the discussion to March 22; or
 - f) Make no recommendation. I do not recommend this route as the Town Council would not benefit from the Planning Board's insight. Plus, the ordinance states that "The Planning Board shall...submit a recommendation..."

(over)

Central Business District in pink:



Pertinent tax maps:



See tax maps above:

Lot #	Address	Owner	Land Use	Built out?	# of acres
1-0	1 Madbury Road	Henderson	Apartments	Yes	.43
1-1	5 Mill Road	Colonial Durham	Mill Plaza	No	10.00
1-2	49 Main Street	Paul Eja	Pauly's Building	Yes	.12
1-3	47 Main Street	Paszec Investors	Libby's Building	Yes	.13
1-4	39 Main Street	Kyreages	Apartments	Yes	.13
1-5	37 Main Street	Pete Murphy	The Grange	Yes	.18
1-6	23-35 Main Street	Orion	Orion	Yes	1.12
1-17	45 Main Street	Kyreages	Scorpio's	No	.14
2-0	32 Main Street	Peter Pastor	Campus Conv. & Apts.	Yes	.13
3-0	36 Main Street	Steven Petrovitsis	House of Pizza building	Yes	.30~
4-0	44 Main Street	Roger Hayden	The Outback	No	.18
5-0	46 Main Street	Roger Hayden	Laundromat	No	.09
6-0	48 Main Street	Ken Young	Young's Restaurant	Yes	.15
7-0	50-54 Main Street	Arrow Properties	Retail	No	.21
8-0	6 Jenkins Court	Jenkins Court LLC	Retail & Apartments	Yes	.21
9-0	12 Jenkins Court	Tom Christie	Retail & Apartments	Yes	.27
10-0	12 Mathes Terrace	Mathes LLC	Dental Office	Yes	.23
11-0	13 Madbury Road	Foursquare LLC	Apartments	Yes	.13
12-0 white	9 Madbury Road	Madbury Road LLC	Retail & Apartments	Yes	.35
12-0 blue	29 Madbury Road	Alpha Chi Omega	Sorority	Yes	.69
12-1	22 Garrison Avenue	Orion	Apartments	Yes	.57
12-2	25 Madbury Road	Alpha Sigma	Sorority	Yes	.63
12-3	17-21 Madbury Road	Golden Goose	Commercial & Apartments	Yes	2.60
12-5	15 Madbury Road	Golden Goose	Apartments	Yes	.16
12-6	9 Matthes Terrace	Golden Goose	Apartments	Yes	.13
12-7	10 Matthes Terrace	Matthes Terrace LLC	Dental and Arch. Offices	Yes	.18
12-8	22 Rosemary Lane	Golden Goose	Apartments	Yes	.11
12-9 UNH	Rosemary Lane	UNH	Vacant	NA	.08
12-10 UNH	Rosemary Lane	UNH	Vacant	NA	.30
12-11	10 Pettee Brook	Kostas – Ionian Prop.	Commercial & Apartments	Yes	.33
12-12	18 Garrison Avenue	Gamma Theta	Office – Fraternity?	Yes	1.40
13-UNH	Rosemary Lane	UNH	Vacant	NA	.11
13-0 UNH	Pettee Brook Lane	UNH	Large Parking Lot	NA	.86
13-1 UNH	Rosemary Lane	UNH	Parking	NA	?
13-2 UNH	Rosemary Lane	UNH	Parking	NA	?
13-3 UNH	Main Street	UNH	President's House	NA	?
13-4 UNH	Garrison Avenue	UNH	Business School/Health	NA	?
13-5 UNH	11 Rosemary Lane	UNH	Vacant	NA	?
13-6 UNH	Rosemary Lane	UNH	Vacant	NA	?
13-7 UNH	Rosemary Lane	UNH	Vacant	NA	?

13-8	Main Street Island	Town of Durham	Park	NA	.01
14-0	3 Madbury Road	Holgate Partnership	Retail/Apts. – Wildcat Pizza	Yes	.32
14-1	72 Main Street	Jess Gangwer	Commercial – Aroma Joe’s	No	.44
14-2 UNH	66 Main Street	UNH	Vacant – former ATO site	NA	1.18
14-3	13 Jenkins Court	Kostas - Galaro	Office & Thai Smile	Yes	.36
14-4	60 Main Street	Pete Murphy	Town and Campus & Apts.	Yes	.35
14-5	70 Main Street	Chittenden Corp.	People’s Bank	Yes	.73
15-0	Pettee Brook Lane	Town of Durham	Town Parking Lot	NA	.48
15-1	Pettee Brook Lane	Town of Durham	Town Parking Lot	NA	.30

(over)

Map prepared by Jim Lawson:

